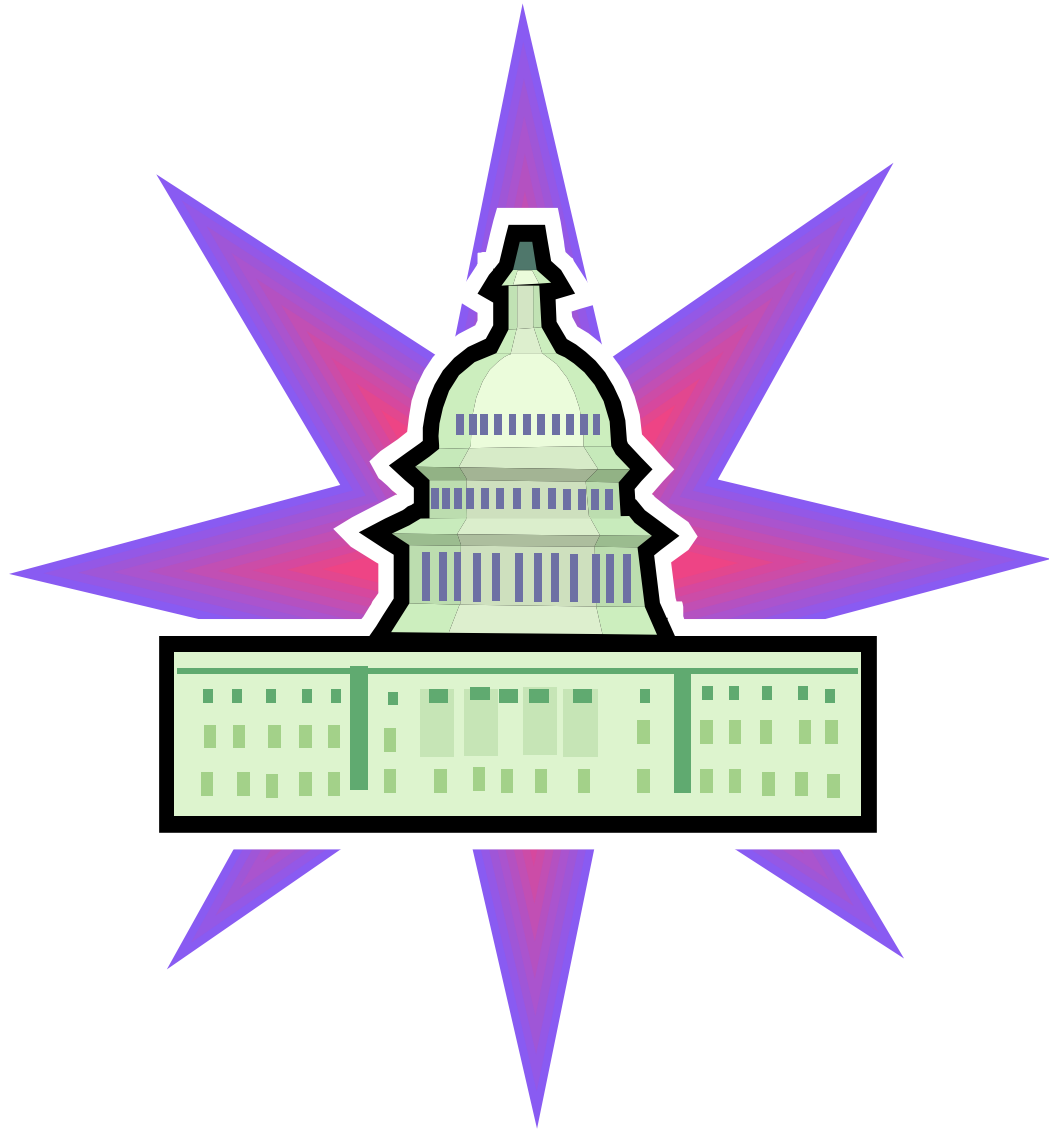


KANSAS EMERGENCY MANAGEMENT
A DIVISION
OF THE ADJUTANT GENERAL'S DEPARTMENT



THE KANSAS LOCAL EMERGENCY
MANAGERS HANDBOOK
REVISED May 9, 2002

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**24 HOUR EMERGENCY
NUMBER FOR REPORTING
NATURAL DISASTERS**

(785) 296-3176
Toll Free Number
1-800-905-7521
Or
Pager Number
(785) 575-7370

**NOTIFICATION OF HAZARDOUS
MATERIAL RELEASES SHOULD BE
CALLED INTO THE FOLLOWING
EMERGENCY NUMBER**

(785) 296-8013

Toll Free Number

1-800-275-0297

Or

Pager number

(785) 575-5559

***REMEMBER TO FOLLOW UP WITH
THE FORM A**

The Kansas Local Emergency Manager's Handbook

Local Emergency Managers throughout the country face similar challenges, such as

- INCOMPLETE/INCONSISTENT EMERGENCY OPERATIONS PLAN
- LITTLE OR NO KNOWLEDGE OF DISASTER RESOURCES
- LACK OF VISIBLE LEADERSHIP
- TRY TO OBTAIN TOO MUCH INFORMATION, NOT REGULATING THE FLOW OF INFORMATION
- FOCUS ON THE INSIGNIFICANT
- LACK OF FAMILIARITY WITH EOC STAFF
- PHYSICAL FATIGUE AND BURNOUT OF EOC STAFF
- INFORMATION VOID
- LITIGATION WILL FOLLOW
- SURPRISED BY UNKNOWN HAZARDS
- NEGATIVE DEALINGS WITH THE MEDIA
- INABILITY TO KEEP STATISTICS
- OVERWHELMED BY VOLUNTEERS AND UNSOLICITED GOODS

In addition, local Emergency Managers face the difficulty of obtaining local government support of activities.

The Purpose Of This Handbook

This handbook is a result of a joint effort between the Kansas Division of Emergency Management and the Emergency Management Support Association of Kansas (EMSAK), to familiarize the new Emergency Manager with some of the many variables of the job. This project will be a continuous effort to provide accurate and timely information to assist both new and experienced local Emergency Managers. This handbook gives guidance to emergency management to;

- “organize emergency management functions, organizations, activities using concepts and terms explained in the Principles of Emergency Management course.”
- “explain the local, State, and Federal roles in emergency management.”
- “social, political, and economic implications of a disaster.”
- "Describe the roles of individuals and organizations, as well as their relationships with one another, in emergency management.”
- “explain the all hazard emergency management process that integrates the resources of local, State, and Federal governments and voluntary and business assets.”

“Emergency management consists of organized analysis, planning, decision making, and assignment of available resources to mitigate, prepare for, respond to, and recover from the effects of all hazards.”

* This information is also taught in the Principles of Emergency Management course.

CHAPTER 1 THE LOCAL EMERGENCY MANAGER-ROLES AND RESPONSIBILITIES

The position of local emergency manager, as designated by the local chief elected official, is responsible for the coordination of all the components of the emergency management system in the jurisdiction. The emergency manager is the county's liaison with State and Federal agencies responsible for emergency management.

The principal role of the emergency manager is to work with local, State and Federal government agencies/departments as well as volunteer and private agencies on any and all activities that include mitigation, preparedness, response and recovery issues that may affect the local jurisdiction and its citizens.

While many emergency managers are responsible for managing other programs, the focus of this handbook are the duties pertinent to the Emergency Management function.

Resources and Hazards

Probably the most important issue an Emergency Manager will deal with will be the questions of, "What will affect us the most?" and "How will we deal with it?" It is vital that the local Emergency Manager have access to this information to be effective. Hazard analysis can be effective. Hazard analysis can be accomplished through working closely with Planning & Zoning departments as well as Building Code Committees and through County Engineer Department/Public Works Office. Revisions of Tier II reports also contribute to a realistic assessment of a hazard analysis. Knowledge of local and outside resources should be maintained and developed through contact with local, State and Federal agencies.

Operational Plans & Standard Operating Guidelines

Emergency Managers should be prepared to assist department heads in the development and maintenance of operational plans as well as standard operating guidelines/procedures. Emergency Managers should also be prepared to assist industry in the development of emergency plans and capabilities in support of the local government plan. The local Emergency Manager is responsible for coordinating the maintenance and revision of Local Emergency Operations Plan (LEOP), which is required by state Statute. For a complete description of planning requirements for LEOPs refer to the “Kansas Planning Standards (KPS).”

Coordination of Resources

An Emergency Manager’s job is to bring together all of the needed resources during times of crisis. This should be accomplished by effectively utilizing all governmental, public and private organizations and agencies to accomplish the appropriate response to the needs of the community during times of crisis, and the recovery period afterwards. *Examples of needed resources include warning systems and shelters.*

Advisor

The Emergency Manager is expected to be the Chief of Staff, Coordinator and Advisor to the local officials before, during, and following disaster emergencies. In this role, the Emergency Manager brings awareness of potential, as well as existing problems, and suggests solutions based on the needs of a community and available resources.

During times of crisis the Emergency Manager keeps local officials apprised of situations in order for them to make the best decisions possible for response and recovery issues.

Liaison

In this role, the Emergency Manager is the first line of contact with the State during times of crisis. The Emergency Manager is charged with requesting additional resources at the State level based upon the situation. The local Emergency Manager is the liaison among local entities and the Federal government during Presidential-declared disasters.

Public Education

In order to inform the public of emergency management activities, it is the responsibility of the local Emergency Manager to participate in a variety of training methods. These methods can include developing new programs utilizing existing programs, and even handing out literature at public events. It is important that the public be aware of the power they possess to take care of themselves first, before a greater response is needed.

Emergency Operations Center (EOC)

The Emergency Manager is responsible for developing, maintaining, and/or improving the EOC. This facility will serve as the seat of government during times of disaster/emergencies and, as such, must be kept in a state of readiness at all times.

Emergency Communications System

It is vital that the Emergency Manager develops and/or maintains emergency communications to effectively warn the public as well as responders of impending danger.

Emergency Management Training

The Emergency Manager should participate in a variety of training courses. Information on State-sponsored training is found within this handbook. In addition to State training the Emergency Manager should

utilize other training opportunities for both him/herself and others in the jurisdiction whenever possible.

The Federal Emergency Management Agency (FEMA) offers resident courses at the Emergency Management Institute in Emmitsburg, Maryland. For additional information, contact KDEM Training section at (785) 274-1412.

Emergency Management Exercises

Local Emergency Managers are required, by the State, to submit a 5-year Exercise plan. Exercises are based on annexes within the LEOP as well as any function that a jurisdiction wishes to test.

Mutual Aid

Emergency managers should assist in the establishment of mutual aid or cooperative assistance agreements to provide needed services, equipment, or other resources in the event of an emergency.

Annual Budget

As a department head, the Emergency manager is responsible for preparing, submitting and justifying the annual emergency management budget. For additional information on State and Local Assistance (SLA) review the SLA chapter in the handbook.

Technical and Financial Assistance

When such programs are offered, the local emergency management secures technical and financial assistance that may be available through State and Federal programs. Federal assistance may include grants or share – in-kind programs.

Legal Standards

Effective January 3, 1994, the Kansas Legislature approved K.A.R. 56-2. Which set the minimum standards for local disaster agencies defined the duties of the Emergency Manager to the jurisdiction and, in return, establishes the minimum limits of support the jurisdiction should provide to the Emergency Manager.

Effective April 11, 1975, the Kansas Legislature approved K.S.A. Chapter 48, Article 9 which was the Emergency Preparedness for Disasters Act. These Statutes established the need for emergency planning and set the responsibility for this at both the State and local levels.

CHAPTER 2 COMMON CHALLENGES FACED BY EMERGENCY MANAGERS AND SUGGESTIONS ON HOW TO HANDLE THEM:

1. Incomplete/inconsistent Emergency Operations Plan.

Suggestions: Planning provides the very foundation and blueprint for all emergency response. Enroll in the “Planning Course” sponsored by Kansas Division of Emergency Management (KDEM). Become familiar with the Kansas Planning Standards. Contact Emergency Managers of neighboring jurisdictions for advice, and to participate/observe the review of their plan. Contact KDEM’s Planning Section with any specific questions related to your local Emergency Operations Plan, or the Technological Hazards Section with questions specific to hazardous materials planning considerations.

2. Little or no knowledge of disaster resources.

Suggestion: Improper use and designation of resources ranks high as a major complication in disaster operations. Be aware of all resources that are available with specialized capabilities and limitations noted. Conduct a tabletop exercise specifically designed to determine resource shortfalls.

Enroll in the “Resource Management” Course sponsored by KDEM. Keeping track of all resources may prove to be an overwhelming task, depending on the size of your jurisdiction. An inclusive plan review process, as well as an active exercise program will help you identify the different agencies/organizations responsible for specific resources. They are the best-trained and equipped source for tracking their own resources and providing you with timely and accurate availability

information during disasters. Contact the operations officer (KDEM) for more information.

3. Lack of visible leadership.

Suggestion: training courses, sponsored by KDEM, are available to help you overcome this problem. Enroll, and invite local officials to participate, in the “Leadership and Influence”, “Decision Making and Problem Solving”, and “Effective Communications” courses.

4. Trying to obtain too much information, while not establishing a control on the information flow.

Suggestion: Reliable filters must be established to provide some isolation from all the input information clamoring for attention. Establish a set pattern for information flow and monitor frequently. Checking for information reliability and follow-up is essential. Equally important is the formulation of an efficient plan to pass information to the outside world. People outside the affected area need an overview of what is going on. Preplan and exercise the Emergency Public Information effectiveness function. Enroll in the “Basic/Advanced Public Information Officer” courses.

5. Focus on the insignificant.

Suggestions: Prioritize the problems, don’t be drawn into trivia. This decision making process becomes easier if regular exercises are conducted. Delegate low priority problems. Enroll in “Developing Volunteer Resources” and “Decision Making and Problem Solving”.

6. Lack of familiarity with EOC staff.

Suggestion: Be prepared to deal with facts of human nature and don’t let them bog down the system. Test the people through a competent exercise program, and know their capabilities. When an augmented

EOC staff is needed, preplan. Know who these people would be, meet with them, define roles/responsibilities, and provide any basic training necessary to do the job.

7. Physical fatigue and burnout of EOC staff.

Suggestion: Insist that everyone get adequate rest and relief. At what point do staff people become counterproductive? Make sure everyone gets enough rest. The crisis will usually last longer than anyone estimates, so this rule is important to remember. Start almost immediately to assign enforced rest and relief periods with adequate shift changes. This also includes any executive level management. Critical incident stress de briefing is important for the mental and physical well being of the staff. People are your most valuable resources.

8. Information void.

Suggestion: Make information sharing a regular practice of your organization. Bring the key players and organizations together after to disseminate information and exchange views. Make sure everyone is briefed on a regular basis. The “Basic Public Information Officer” and “Effective Communications” courses, as well as pre-planning and exercising will help minimize this problem.

9. Litigation will follow.

Suggestion: Document and maintain records. Conflicts of interest, differences of opinion and misunderstandings are inevitable. Keep a good audit trail of reports, conditions, and decisions to facilitate and defense, should it be necessary from the outset, establish a systematic effort to gather and store data to assist you in the future. “Liability

Issues in Emergency Management Course’, and establishing a good working relationship with the County Attorney are recommended.

10. Surprised by unknown hazards.

Suggestion: Be prepared for incidents that may precipitate secondary hazards. Know the territory. Become familiar with location of vital facilities. If there are gaps in the communications system, best they are found before a major situation develops. Locations that are particularly hazardous or present operational difficulty should be identified and studied. Conducting a hazard Analysis and Vulnerability Assessment will help identify the hazards and population groups or areas susceptible to damage.

11. Negative dealings with the media.

Suggestion: Establish a professional relationship with the media before the disaster strikes. Exercise the function of the Public Information Center, and encourage the Public Information Officer (PIO) to seek training. Involve the media in exercise activities. See Chapter 11 for additional information on dealing with the media.

12. Inability to keep “people statistics”.

Suggestions: Assign someone to specifically keep track of the missing and known dead. During the first 48 hours after the onset of a disaster, there will be an acute need for accurate lists of survivors, their location and condition. The following courses are applicable: “Disaster Response and Recovery Operations”, Mass Fatalities”, and “Developing Volunteer Resources”.

13. System overwhelmed by unsolicited goods and spontaneous volunteers.

Suggestion: Include donations management considerations in the Local Emergency Operations Plan. Learn the basics of donations management by enrolling in the “Donations Management Course”. Work with volunteer agencies to develop standard operating guides before the disaster strikes. Contact human services officer for more detailed information (785) 274-1403.

Practical Approaches to Minimizing Liability

- Use trained decision makers during emergency or disaster situations.
- Make informed decisions with objective assessment of risks and benefits; collect the relevant facts; apply the appropriate standards.
- Take the time you have to make decisions. Even if the time is tight, take every minute of it. Make no snap judgments, except in situations demanding immediate decisions.
- Educate on legal matters. Read the statutes and regulations governing the field or responsibility in emergency management.
- Make sure there is access to an attorney. Ask the attorney if legal immunity applies, at least for the decisions and actions made in good faith within the scope of your expertise and official responsibilities.
- Where the law does not provide immunity for decisions, find ways to minimize the risks of legal liability.
- Do not let unreasonable fear or legal liability paralyze you and your staff. The law creates constraints in order to protect all of us from negligence and intentional wrongdoing, not to prevent what needs to be done.

CHAPTER 3 OVERVIEW OF THE COMPREHENSIVE EMERGENCY MANAGEMENT PROGRAM (CEMP)

Emergency Management is the profession dealing with the dynamic process of purposeful, coordinated efforts among government agencies, public and private sector organizations to protect people, property and the environment by mitigating against, preparing for, responding to, and recovering from emergencies and disasters. Obtaining and maintaining public support is the key to good local and state emergency management and disaster operations. An emergency management program acts similar to an insurance policy in that it can help to reduce liability, and to enhance the protection of the community and its citizens when disaster strikes.

THE FOUR PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT PROGRAM

Mitigation

Is defined as “any action determined to be cost-effective which substantially reduces the risk of future damage, hardship, loss, or suffering in any area affected by a major disaster (Stafford Act, P.L. 93-288, as amended, Sec 404)”.

Proactive mitigation (to reduce the likelihood or lessen the potential effects of disasters) programs include Flood plain management, fire prevention, building codes and development of structural standards, land-use regulations and advocacy with urban planning and zoning commissions to factor emergency management considerations into community design.

Reactive mitigation (to reduce effects based on past experience) programs include flood insurance, disaster preparedness improvement grants, and development of predictive models of damage based on past experience. Mitigation is the foundation of all-hazards, risk-based emergency management program. It saves lives, reduces property damage, and helps to preserve the economy in the disaster area, thus reducing disaster assistance costs.

Preparedness

Preparedness is P-T-E- Planning, how to respond should an emergency or disaster occur, and working to increase resources and the ability to respond effectively. Preparedness involves actions, which will improve the speed and coordination of the response to an emergency or disaster.

Planning, forming emergency organizations, training and exercising are all preparedness activities. Emergency management assists state and local government agencies and private sector organizations to develop plans for natural disasters such as floods, or winter storms and technological emergencies such as hazardous material incidents.

Public awareness and information outreach programs that change seasonal focus throughout the year are significant campaigns by state and local emergency management agencies.

Disaster preparedness exercises, ranging from tabletop activities to full-scale simulations of disaster situations involving several counties, are conducted to assure that proposed plans and coordination activities will work.

Additional preparedness activities ensure that effective communication systems, operating facilities, and specialized equipment are

in place to support emergency response and recovery operations. Communication or urgent information to the public is vitally important in an emergency. Local and state emergency management officials working with regional radio, television and print media coordinate such efforts.

Response

Response can occur shortly before, during and immediately after a disaster, during which activities are conducted to save lives and minimize damage.

Activation of the local and State Emergency Operations Center (EOCs) search and rescue operations, and reception and care of disaster victims are examples of response actions.

Emergency coordination functions are generally carried out during disaster situations in the local and State EOCs. The EOC houses representatives of each department and organization involved in response activities in order to ensure cohesive response to the situation, and to ensure the public is given concise, meaningful and timely information regarding the disaster.

Recovery

Recovery begins when the immediate threat to life and property has passed and cleanup, repair and restoration activities become a priority. This stage will continue until all life support systems are returned to normal or near normal operations. Debris clearance, disaster assessment, and reconstruction are some recovery measures.

Joint local state/federal disaster assessment teams quickly survey damaged areas. The local emergency manager is generally expected to work closely with the teams to ensure swift completion of the assessment process.

On-site Disaster Recovery Centers may be established within affected communities. These centers provide a convenient place for victims to meet with representatives who can solve problems.

Utilizing The Integrated Emergency Management System (IEMS) To Achieve CEMP

IEMS was developed by FEMA in the early 1980's to improve the nation's capability to respond to major emergencies, disasters, and is administered by the International Association of Fire Chiefs. "Integrated Functions," stressed and encouraged by IEMS include:

- Integration of "all hazards" into disaster planning and management activities.
- All appropriate personnel from participating public, private, and volunteer agencies/organizations are included in the disaster planning and management activities.
- The four phases of CEMP are integrated into disaster planning and management activities.

IEMS recognizes that no single agency can effectively respond to a disaster. Organizing, planning, responding to, and recovering from a disaster requires teamwork (public, private, volunteer).

MAJOR MANAGEMENT TOOLS

- **HAZARD ANALYSIS AND VULNERABILITY ASSESSMENTS**
- **CAPABILITY ASSESSMENTS**
- **LOCAL EMERGENCY OPERATIONS PLAN**
- **STANDARD OPERATING GUIDES OR PROCEDURES**
- **TRAINING SESSIONS**
- **EXERCISE, EXERCISE, EXERCISE!**

KEY POINTS (CEMP)

- **CEMP IS THE STRATEGY IEMS PROVIDES THE TACTICS**
- **IEMS IS BUILT ON THE CONCEPT THAT THERE IS A COMMON SET OF EMERGENCY FUNCTIONS PLANNED FOR AND UTILIZED REGARDLESS OF DISASTER TYPE**

CHAPTER 4 Evaluating The Local Emergency management Program

Questions: What does the public expect in an emergency or disaster?

The public expects that all Emergency Management staff has been trained and is prepared to give guidance to the public.

Preparedness Expectations

Twenty characteristics essential for an effective emergency management program:

- Roles of elected official defined
- Structure has strong and definitive lines of command
- Organizational structures for routine and disaster operations are similar
- Emergency management procedures are as close to routine operational procedures as possible
- Emergency management organizational structure is based on good interpersonal relationships
- Emergency management planning is an ongoing process
- Emergency management organizational structure addresses all hazards
- Disaster prevention and mitigation are included in emergency management programs
- Motivation is provided for involvement in the emergency management program
- Citizens are involved in the emergency management program
- Strong coordination is maintained among participating agencies
- Emergency management program includes public/private cooperation
- Emergency management resources are also used in routine operations
- Public information function is clearly defined
- Ongoing monitoring is conducted for potential disasters
- Internal alerting procedures are maintained
- Ability to alert the public is highly encouraged
- Intergovernmental coordination is active
- Records are maintained during a disaster
- Eligibility for State and Federal subsidies have been considered

Response Expectations:

- During disasters, citizens expect government to:
- Alert them in advance of a disaster
- Quickly and accurately assess the magnitude of an emergency
- Keep them informed of the situation
- Safely evacuate dangerous areas
- Relocate them to a safe place
- Provide for a rapid restoration of services
- Give assistance in the form of recovery activities
- Mitigate the impact of future emergencies
- Be able to adequately protect life, property and the environment

Recovery Expectations:

Answers to the questions “*What do citizens expect from officials?*” include:

- An active role in cutting red tape
- Provide mechanisms to alleviate individual problems with monetary assistance, safety, property access and property demolition
- Advocacy for the “little guy”
- An innovative, efficient, and rational leadership
- Protection of the interests of all local institutions
- Attention to, and solution of, citizen’s problems
- Advocacy for economic recovery
- A greater dexterity in facilitating extra community disaster aid
- Professionalism in dealing with federal, state, and local relief agencies

State Laws and Court Cases as an indicator of Public Expectations:

- The courts generally will be more favorably inclined toward entities that have taken “reasonable” steps to prepare for emergencies and disasters
- Examples of issues (grounds) that have caused the courts to reach the conclusions of government negligence and/or wrong doings are:
 - ✓ Poorly written plans
 - ✓ Inadequately defined chain-of-command
 - ✓ Lack of legal review

- ✓ Lack of official declaration
 - ✓ Lack of reasonable care (decision making)
 - ✓ Lack of adequate training
 - ✓ Failure to follow a Plan or a Record
 - ✓ Failure to adequately instruct the public
 - ✓ Failure to adequately warn the public
 - ✓ Failure to plan for a known hazard.
- Personal liability – If public officials failed to develop adequate plans and procedures when they had sufficient knowledge of hazards, they could be held personally liable as well as their agencies.

CHAPTER 5 Professional Associations Kansas Emergency Management Association (KEMA)

In the State of Kansas, Local Emergency Managers, as well as all public officials, and emergency personnel involved in emergency planning may elect to join KEMA, a professional non-profit organization focused towards the coordination of efforts and plans of its members. Founded in 1967 and incorporated in 1977, KEMA serves as a forum for ideas, suggestions, and courses of actions between members.

A board of directors consisting of a President, President-elect, Secretary, and Treasurer as well as six Regional Vice Presidents serves KEMA. The Vice Presidents are nominated and elected by the counties that fall within their regions. The annual KEMA conference is held each fall at different locations, as determined by the Board of Directors. Cities are encouraged to invite the organization to hold the fall conference in their city.

Membership Fee
Annual dues for KEMA are currently \$50.00. Application may
be made to:
Beth Reed
PO Box 429
Belleville, KS 66935
(785) 527-5691

Legislative Affairs Committee

The Legislative Affairs Committee reviews and makes recommendations on past, present, or pending legislature at the State and Federal levels that may affect emergency management. The committee

members may also be required to intervene on the associations' behalf by testifying in support of or against critical legislative activities.

Constitution and Bylaws committee

Conducts an annual review of the KEMA constitution and by laws, develops and presents proposed changes and/or amendments to the general membership for action during the annual association Meeting.

Member Communications

Ensures Association members are kept informed of current and future activities and/or programs through the publication of a quarterly newsletter.

KEMA's Kansas Certified Emergency Manager (KCEM) Program

The first certification given by KEMA was in October 1990. The KEMA Board sets standards for the certification with input from the Kansas Division of Emergency Management. These standards were based upon a program that IAEM was attempting to develop for certification, as well as the generic job description of various Emergency Managers in Kansas at the time.

Standard and Kansas Practice Committee
Implements and administers the Certified Emergency Manager
(KCEM) program
For detailed information regarding certification contact:
Janice Davidson
307 N Concord, Ste. 170
Minneapolis, KS 67467
(785) 392-3600

Standards and Kansas Practices Committee
Implements and administers the Certified Emergency Manager
(KCEM) program
For detailed information regarding re-certification contact:
Amy Miller (620) 793-1919
1400 Main, Room 108
Great Bend, KS 67530

Emergency Management Support Association of Kansas (EMSAK)

EMSAK currently involved in support issues for emergency management. Membership consists of Emergency Managers, Assistant Emergency Managers, secretaries, amateur radio operators, Salvation Army, and American Red Cross personnel. EMSAK's Board members consist of a President, President-Elect, Past President, Secretary/Treasurer, Past Secretary/Treasurer, and the Chairpersons of the Awards and Nominating Committees. Conferences are held annually, in the spring, at locations volunteered by members and selected by the Board of Directors, EMSAK also holds a Board Meeting in the fall, in conjunction with the annual KEMA Conference.

Annual dues for EMSAK are currently

\$20.00

Applications may be made to:

Shelia Dale Secretary/Treasurer

PO Box 281

Lyndon, KS 66451

International Association of Emergency Managers

The International Association of Emergency Managers (IAEM) is an international organization dedicated to promoting the goals of saving lives and protecting property during emergencies and disasters. Founded in 1952 as the U.S. Civil Defense Council, the organization has evolved and changed

its name to reflect a more comprehensive and global emergency management profession.

With more than 1,700 members, IAEM brings together emergency management professionals from local government, the military, private industry, state and federal governments, volunteer organizations, and others interested in emergency management, both in the U.S. and worldwide.

Membership in IAEM provides:

- o Access to the largest network of top emergency management experts who can offer solutions, guidance and assistance.
- o The opportunity to advance your career with IAEM's "Professional Opportunities" service. Hiring managers consider it the primary advertising tool for recruiting new employees.
- o Discussion groups and a wealth of other professional tools on www.iaem.com, the portal to the world of emergency management.
- o The latest information on disaster issues, industry innovations and resources through a monthly newsletter, periodic e-mails and faxes that will help you complete your job.
- o A unified voice at the federal, state and local levels to educate decision makers about the impact of policies and legislation on emergency management services.
- o A chance to receive scholarship funds for students enrolled in emergency management courses of study.
- o Free e-mail Yourname@iaem.com is available at no charge for IAEM members.
- o The only internationally recognized certification of emergency managers, the Certified Emergency Manager® (CEM®) and

Associate Emergency Manager programs, which can enhance your career and your salary.

The CEM® credential is conferred upon those who demonstrate prescribed levels of experience, education, training and contributions to the profession, and respond to a real-life scenario in an essay that shows competence in planning, organizing, leading, controlling, and communicating through the four phases of emergency management.

An Associate Emergency Manager (AEM) credential is also available for those who have professional experience but lack a four-year college degree. The Association is geographically divided into ten regions in the United States, the boundaries of which coincide with the ten designated by the Federal Emergency Management Agency (FEMA).

IAEM additionally has an International Region for those professionals located outside the United States. Each Region operates as a sub-unit of the Association, elects a president who serves on the Board of Directors of the Association, and has administrative and fiduciary responsibility to the organization.

IAEM programs seek to encourage the comprehensive emergency management structure as the best way to prepare for and deal with disasters, strengthen inter-governmental, public-private sector and multi-disciplinary partnerships, educate practitioners, policy-makers and the public, provide forums for the exchange of information, and uphold standards of professionalism among emergency managers.

To learn more about IAEM or to become a member, visit the website at www.iaem.com or contact IAEM staff at (703) 538-1795. as c/iaem/new coordinators handbook updated 2001.

CHAPTER 6 Local Government In The State Of Kansas

County Government

The current county division of 105 jurisdictions was in place by 1893, after a number of legislative changes. Legally a county is a quasi-municipal corporation, as distinguished from a city, which is a municipal corporation.

The powers and duties of local officials are set forth in State statutes, and modified by home rule. When a local government wants to do something not authorized by these statutes or by the constitution, it must ask the legislature for a law permitting it to undertake the new activity.

Many activities of local officials, particularly county officials, are concerned with what might be considered State rather than county activities. The State itself generally depends on county officials for the enforcement of State laws.

The Kansas legislature makes many of the most crucial decisions concerning the services provided by State government. It also establishes the range and circumstance within which local officials must operate, and thus further refines the choices about what services and what quality of services will be provided locally.

Board of County Commissioners

Is the central governing body for counties, approving the county budget, which determines the amounts available to the various county departments for supplies, equipment, and salaries so they can hire deputies and other personnel to operate the county offices. In 1976 the legislature authorized the commissioners to set salaries for the other elected officials. In 1977 the legislature made boards of county commissioners responsible for setting their own salaries.

The Board of County Commissioners serves also exofficio as the County Board of Health and Highway Supervisors. It has a variety of powers and duties, including the power to maintain a public library, create special benefit districts for sewers, fire protection and public lighting, establish and maintain public parks, and maintain abandoned cemeteries.

The new sections of Article 4 of the Kansas Constitution mandates that there be at least three commissioners in each county, elected in the manner prescribes by law. Counties may now elect three, five, or seven commissioners by districts, for staggered terms of office.

Home Rule

Provides county government with limited autonomy in internal affairs. Home rule may be granted by either legislative or constitutional action. Its aim is to provide self-control over all local matters without disturbing or lessening the power of the State over matters of statewide interest.

Home rule is the empowerment given to counties to conduct county business, and to exercise whatever powers of local legislation and administration they deemed appropriate within specified restrictions.

Counties were specifically forbidden to consolidate, to alter their boundaries, to change the limits of bonded indebtedness, and to pass resolutions that would affect the courts, the election procedures, or the election of county officers. They have no power to deviate from legislative laws that apply uniformly to all counties, or to exempt themselves from State laws merely because a county has adopted a county charter.

Counties are subject to the limitations the legislature enacted for the county levy of retail sales taxes. Counties cannot supersede city home rule enactments without the consent of the city governing body.

Consolidation Law

In 1974 the legislature authorized any two or more units of government to perform jointly any administrative procedures or function being performed by government units individually. Additionally, any local unit was allowed to consolidate its administrative operations, procedures, or functions within the unit itself, and elective offices could be abolished subject to voter approval. Voters could initiate consolidations by petition.

In recent past, some counties have made use of this consolidation law to combine their local Emergency Management Agencies. At the present time Russell and Lincoln, Scott and Lane counties, as well as Rawlins and Cheyenne counties have moved to designate a common emergency Manager. The Emergency Managers in these instances have the same responsibilities for each of the two corresponding counties, and maintain a local Emergency Operations Plan for each county, in accordance to State statutes.

County Resolutions

Counties may use the home rule provision by passing ordinary resolutions or charter resolutions. An ordinary resolution would be used for an action is a local matter but is not covered by an enumerated power given to the counties by statute.

County charter resolutions exempt a county from all or part of any statute, and allow the county to substitute or make additional provisions. Charter resolutions require the unanimous vote of the Board of County Commissioners, and are subject to a protest referendum, or they may be adopted by a majority vote of the board if a referendum is scheduled.

Township Government

Townships were organized in substantially their present pattern by 1900. Kansas ranks high nationally in the number of townships. All land in Kansas is either in a township or a city of the first or second class, unless the county has, by charter ordinance, created a unified county, thus eliminating townships. Cities of the third class are for most purposes part of the township in which they are located.

Historically, township offices have included a trustee, a clerk, a treasurer, two justices of the peace, and two constables, all elected. The trustee, clerk, and treasurer form the township's auditing board, which is responsible for supervising township finances. In counties that have not adopted the county unit road system, the auditing board also acts as the board of highway supervisors.

To a limited extent the township trustee is the general supervisor of township government. The trustee divides the township into convenient road districts and appoints road overseers. In addition the trustee is an election judge. In some townships the trustee may be the road overseer, and also have duties relating to prairie dog eradication, cemeteries and water and sewer systems.

City Government

Kansas has a large number of towns and cities in relation to its population. In 2000 more than half the towns (351) had fewer than 500 people, and one-fifth (83) had fewer than 100 people.

The legislature has established three general classes of "cities", based on population. *First-class* cities are those with a population in excess of 15,000; *second-class* cities are those with a population between 2,000 and 15,000; and *third-class* cities are those with fewer than 2,000 and second-

class cities that reached 15,000 would certify the fact to the Governor, who then issued a proclamation advancing the city to the next class.

On occasion cities have reached the required population without changing class, a practice that has been legitimized. Second-class cities may continue in that category until they reach a population of 25,999, at which time they are required under current law to become first-class cities. Similarly, third-class cities may continue in their category until they reach 5,000.

Forms of Government

In the State of Kansas there are three standard forms of city government, and two statutorily allowed modifications, the mayor-council plan, the modified mayor-council plan, the commission plan, and either of two variations of city manager plan. The mayor-city council is the most common form of city government used.

Home Rule

In Kansas, as in most other states, cities have been regarded as creatures of State, and judged to have only the powers provided by the legislature or the constitution. Kansas has experimented with giving cities more authority over their own affairs through the home rule amendment to the constitution, which empowers cities “to determine their local affairs and government.”

The amendment itself provides that it “shall be liberally constructed for the purpose of giving to the cities the largest measure of self government.”

This broad grant of power was made to all cities in Kansas, but it has several restrictions. The legislature may limit the revenue-raising powers of cities so long as it uniformly treats all cities in a class, and creates no more

than four classes of cities. Further, the cities may exercise these powers of local determination and government subject only to (1) legislative enactments “of statewide concerns applicable uniformly to all cities,” (2) other enactments applicable uniformly to all cities and (3) enactments prescribing limits of indebtedness. Cities exercise these powers by enacting ordinances through their regular procedures.

In addition, each city is given the power to enact charter ordinances, which exempt it from State laws that would otherwise apply to it. A city may not pass such ordinances for the purpose of releasing itself from the operation of laws of statewide concern applicable uniformly to all cities, other laws applicable uniformly to all cities, and laws prescribing debt limits. The effect of this provision is to allow any city governing body to change any of the laws the legislature had enacted or might enact especially for it.

Municipal Powers

Police Power

Refers to the broad power of the State to make necessary regulations for promoting the health, safety, and morals of its citizen's, the State legislature exercises police power, but it also has authorized the cities to use this authority. The governing body of the city (the city council or commission) exercises this power by passing ordinances. The enforcement of these ordinances normally is the responsibility of the marshal or police force. The Kansas Bureau of investigation, the Kansas Highway Patrol, and other law enforcement entities such as the county sheriff offices, are frequently invited to assist city police departments.

Zoning

Predicated on the police powers of cities, restricting the right of individual property holders to use their property entirely as they see fit. It guides the future development of the city and aims to make cities more attractive, safer, and pleasant places. It is an integral part of the city planning and management, and it must pay an important consideration in Emergency Management activities.

The governing bodies of all cities in Kansas are authorized to appoint planning commissions, which recommend the establishment of zoning districts and set their boundaries. Most cities with more than 1,000 people have a planning commission.

Generally all property employed in nonconforming uses when a zoning ordinance is adopted may continue to be employed for that purpose. Only new nonconforming uses are closely restricted.

Fire Protection and Prevention

Large cities are specifically authorized to maintain fire departments, and other municipalities are allowed to buy fire trucks and equipment and make rules and regulations reporting the use of the equipment. All cities may make regulations with regard to building materials and construction practices that may prevent catastrophic fires.

It is estimated that some 37 cities in Kansas maintain full-time, paid fire departments. Many others fund some paid firefighters but depend mostly on volunteers. City fire departments frequently arrange to provide fire protection services to the surrounding rural areas, and some townships contribute to the support of the departments.

Power to Acquire and Maintain Streets

Cities may acquire streets by dedication, prescription, purchase, or process of eminent domain. When a plat is filed, land indicated for public use is considered dedicated, and no specific acceptance, beyond the filing of the plat is needed.

While city streets form only a small percentage of the road mileage in the State, they carry a substantial percentage of its traffic. A city may ask the Kansas Department of Transportation to maintain the State highways within city limits, or a city may receive a payment and maintain the highways on its own. Counties make similar arrangements with cities.

Ownership and Regulation of Public Utilities

All cities in Kansas are authorized to purchase or construct and operate utilities to supply the city its inhabitants with natural or artificial gas, water, electricity, heat, street railways, or telephone service. Any such action must be approved by a majority of voters.

Most municipal utilities are operated as departments or divisions of city government, with the council or commission being directly responsible for the operation of the utility. Frequently the governing body appoints a superintendent of the utility. However, the governing body of any city with a utility has authority to appoint a board of commissioners to operate the utility. In several cases special legislation provides that these boards may be elected and may be independent of the governing body. Privately owned utilities must obtain city franchises to intrude upon streets, alleys, or public parks or grounds. The city is given the power to contract with utilities to further the interests of its citizens. It can set standards of services as well as well as maximum rates, provided these are consistent with the rates determined by Kansas Corporation Commission.

Power to Undertake Public Improvements and Services

Cities are authorized to engage in a variety of public improvement and services. This includes the acquisition and maintenance of public parking lots, squares, and markets (both within and outside the city), establish and maintain cemeteries, build docks, wharves, river terminals and drains, canals, and other flood-control improvements that frequently are financed from general tax levies.

The governing bodies in addition may construct and maintain sewers and drainage systems, or divide the city into as many sewage districts as necessary (at the expense of the owners of the benefited property). Lighting districts may be established in first and second-class cities. Streets and sidewalks can be developed, and are normally financed by special assessments against the benefited property.

All cities are authorized to collect refuse or to contract for such services. First-and second-class cities are also allowed to acquire and operate off-street parking lots.

Other Powers

Cities may establish special boards to supervise and manage municipal libraries, recreational facilities, and municipal universities. Cities have also been granted certain powers to accomplish the functions assigned by statute, such as the power to take private property by eminent domain to enter into contracts and to tax.

Role of Government in Emergency Management

County Government

County/local government is recognized as the first line of official public responsibility for emergency management activities. Through its local

Emergency Management agency, county government develops and maintains an ongoing program of mitigation, preparedness, response, and recovery.

These agencies serve the chief elected officials by working with other departments within the jurisdiction, the private sector, and volunteer organizations in the development of plans and enhance response capabilities to those hazards that pose a threat to the jurisdiction.

State Government

The role of State government in emergency management is somewhat similar to that of local government, in that it must maintain an effective organization to manage an active, ongoing emergency management program at statewide level. Through Kansas Emergency Management (KDEM), the State provides direct guidance and assistance to local jurisdictions in program development.

KDEM also administrators various Federal funding is funneled to local government and individuals. In a State or Federally declared emergency, KDEM directs and coordinates the combines efforts of State/Federal agencies, private and volunteer organizations in support to local government. See Chapter 6 through 9 for additional information of Kansas Emergency Management, and related programs.

Federal Government

The Federal government has a variety of resources to assist local and State governments at times of Federally declared disasters through the Federal Emergency Management Agency (FEMA). There are a few Federal agencies that are able to provide assistance without a Presidential declaration, such as the Small Business Administration (SBA), and the United States Department of Agriculture (USDA). More detailed

information can be found in the publication “Disaster Assistance: A Guide to Recovery Programs”, FEMA 229(4), November 1995.

CHAPTER 7 The Adjutant General's Department

The mission of the Kansas Emergency Management is to provide a 24-hour operation to reduce loss of life, property, and environment and to protect Kansans from all hazards by providing and coordinating resources, expertise, leadership and advocacy through a comprehensive, risk-based emergency management program of mitigation, preparedness, response and recovery.

The current Emergency Management Program in Kansas stems from two major legislative initiatives; the federal Robert T. Stafford Disaster Relief Act, as amended, and Chapter 48, Article 9 of the Kansas Statutes Annotated.

The Kansas Division of Emergency Management is the arm of the Adjutant General's Department that provides mitigation advocacy, planning requirements and guidance, response coordination, and administration of recovery programs for the civil sector of the State, regardless of the type of hazards.

General Information

The State of Kansas created the Adjutant General's Department in 1861 with the mission of providing public safety services. The Adjutant General's Department administers a joint State/Federal program that includes the Kansas Division of Emergency Management and the Kansas Army and Air National Guard.

The Kansas Division of Emergency Management, A Division of the Adjutant General's Department

The Adjutant General serves as the Director of Kansas Emergency Management (KDEM) a division of the Adjutant General's Department. An Administrator, in the State Civil Service exercises daily supervision and administration of the Division.

KDEM was established as a State Civil Defense Agency in 1951, became a Division of the Adjutant General's Department in 1955, and was redesigned as the Division of Emergency Preparedness in 1975. In 1994 the name of the division changed by the legislature to Division of Emergency Management. KDEM is located in the lower level of the State Defense Building, 2800 SW Topeka Blvd, in Topeka. Along with the office space for the division, this building also houses the State Emergency Operations Center (SEOC).

KDEM provides direction, training, and assistance to local Emergency Managers and staff, local officials (both appointed and elected), State agency personnel, and other entities in areas of emergency management, hazardous material, planning, training and operations. KDEM provides guidance and technical assistance to local governments in understanding State and Federal programs, and their impact on local programs and disaster operations.

The Division is presently organized into functional sections, which administer specialized service programs.

Administrative

Provides, manages, and coordinates the resources, expertise, and information of KDEM, so that required staff operations are performed. Variety of programs support the Administrative section including:

- o Staff operations are performed
- o Fiscal management provides financial management in budgeting and accounting
- o Provides personnel and financial services to the counties receiving State and Local Assistance (SLA) funds.

State and Local Assistance (SLA) Program

This program coordinates/supports local Emergency Management effort by developing regulatory guidance regarding minimum requirements and standards for emergency management activities. State and Local Assistance is intended to establish and maintain a comprehensive process for assessment and evaluation of local emergency management programs. It involves the management of the implementations of FEMA's Emergency SLA program at the local level, to ensure proper eligibility and compliance with program guidelines.

Operations

KDEM is responsible for operating and maintaining 24-hour communication capability to fulfill its statutory responsibility of coordinating statewide emergency disaster management activities. The Operations Officer receives emergency calls during office hours. After office hours a Staff Duty Officer (SDO) system is activated, with one person on call, through the use of a paging system. During emergency situations the division activates and manages the State Emergency Operations Center (SEOC).

Communications Center

A Separate room equipped with a variety of radios, telephones, and other equipment offers continuous communications methods to contact

numerous State and local government units, as well as to national emergency networks

Training and Exercising

This section focuses on training local and State governmental representatives, including appointed and elected officials, in the techniques of disaster management.

The Exercise Program

The intent of the Exercise Program is to provide knowledge and skills necessary to design, conduct and evaluate exercises based on local Emergency Operations Plans. Focusing on emergency management functions, this process allows the opportunity for local Emergency Managers to collect information needed to initiate the revision cycles of the LEOP's and, ultimately, improve upon operational capabilities. For additional information refer to chapter 8. "Building an Exercise Program".

Professional Development Series (PDS)

Coordinates the application of and certification of classes that comprise the curriculum for the PDS Capstone requirements. These classes consist of Exercise Design, Introduction to Emergency Management, Emergency Planning. Basic Skills in Leadership & Influence, Basic Skills in Decision Making, and Problem Solving. Basic Skills in Effective Communication, and Developing Volunteer Resources. Upon completion of these courses, the participant is eligible for certification through the Emergency Management Institute (EMI).

HMEP and EMPG Haz-Mat Training

Under the provisions of these grants the Technological Hazards section has been offering Haz-Mat training for more than 28,000 first responders, in order to maintain the State's capabilities to safely and efficiently react to hazardous materials incidents at rail, highway, or fixed facilities. Initial and re-certification training is made available statewide to approximately 3,000 individuals responsible for leak repair, spill cleanup, and evacuation of injured persons from highly

Technological Hazards

Provides direction and planning regarding potential accidents involving toxic chemicals, radioactive substances, and nuclear power plants. Provides chemical and radiological vulnerability assessment, planning, emergency notification, incident management, training coordination, exercise evaluation, and statewide emergency coordination.

Radiological Planning Program

Provides communities with radiological instruments to monitor radiological emissions and determine the appropriate response actions. This program provides first responders with training for their use of radiological equipment.

Hazardous Materials Planning Program

Assists local and county governments to understand Federal and State laws regarding hazardous materials. Assists counties in maintaining and exercising chemical response plans to meet the challenge of a catastrophic accidental release of one or more hazardous substances. Encourages counties to seek remediation action following any hazardous materials incident.

Planning

The Planning section provides assistance to local governments and State agencies in the development and review of Emergency Operations Plans and supporting documentation.

All plans shall be review annually, and updated as needed or otherwise scheduled.

State Emergency Operations Plan

The Planning section is responsible for directing the effort of reviewing and updating of the State Emergency Operations Plan, in

collaboration with representatives from other state agencies, professional, volunteer, and industrial organizations. This plan details the tasks that are to be carried out by specific organizational elements, based on objectives, assumptions, and assessments of capabilities. It communicates State government's policies and objectives for emergency management, and serves as a basis for local-level planning assumptions.

Local Emergency Operations Plans (LEOPs)

These plans detail the concepts, operational relationships, projected actions, and procedures that may be necessary to protect people from the effects of all hazards that have the potential for destruction of life and/or property. LEOPs address a variety of emergency management functions taking into account all possible hazards, and are based on the local Hazard Analysis and Capability Assessment.

Kansas Planning Standards (KPS)

The Federal Emergency Agency (FEMA) rescinded the Federal guidelines for plan review and approval as of October 1, 1995. These documents were the Civil Preparedness Guides for Review of State and Local Plans (CPG 1-8 and the corresponding checklist CPG 1-8A). State Emergency Management Agencies were directed by FEMA to develop State standards for conducting the review of these plans.

The Planning and the Technological Hazards sections developed the Kansas Planning Standards, in collaboration with local Emergency and State and Federal representatives. These standards include requirements from the National Response Team (NRT), and the Nuclear Regulatory Commission (NRC).

Community & Family Preparedness Program

Initiated by FEMA in 1987, this program is geared to help citizens prepare for disasters, based on the recognition that they share responsibility for their own protection. A goal of this program is to build local coalitions, such as coalitions among local emergency management agencies and school related organizations to provide disaster management information to parents and volunteers; develop a Train-The Trainer workshop on family disaster preparedness, and maintain local Family Protection Program organizers of the progress of the national program.

Dam Safety Program

The Planning Section coordinates with the Kansas Department of Agriculture, Division of Water Resources, to bring Dam Safety information to local Emergency Managers. There is a total of 12,855 dams statewide, which are monitored and inspected by the Division of Water Resources. Owners of the dams are required to submit a permit application to the State. As part of that process, dam owners are also required to develop, maintain, and submit to the Division of Water Resources, an Emergency Action Plan for that structure. In relation to the inspection process, the Division of Water Resources forwards a copy of the inspection report to KDEM's Planning Section. The section in turn will notify the county Emergency Manager of the status of the dam, and attach a copy of the report for the county's planning purposes.

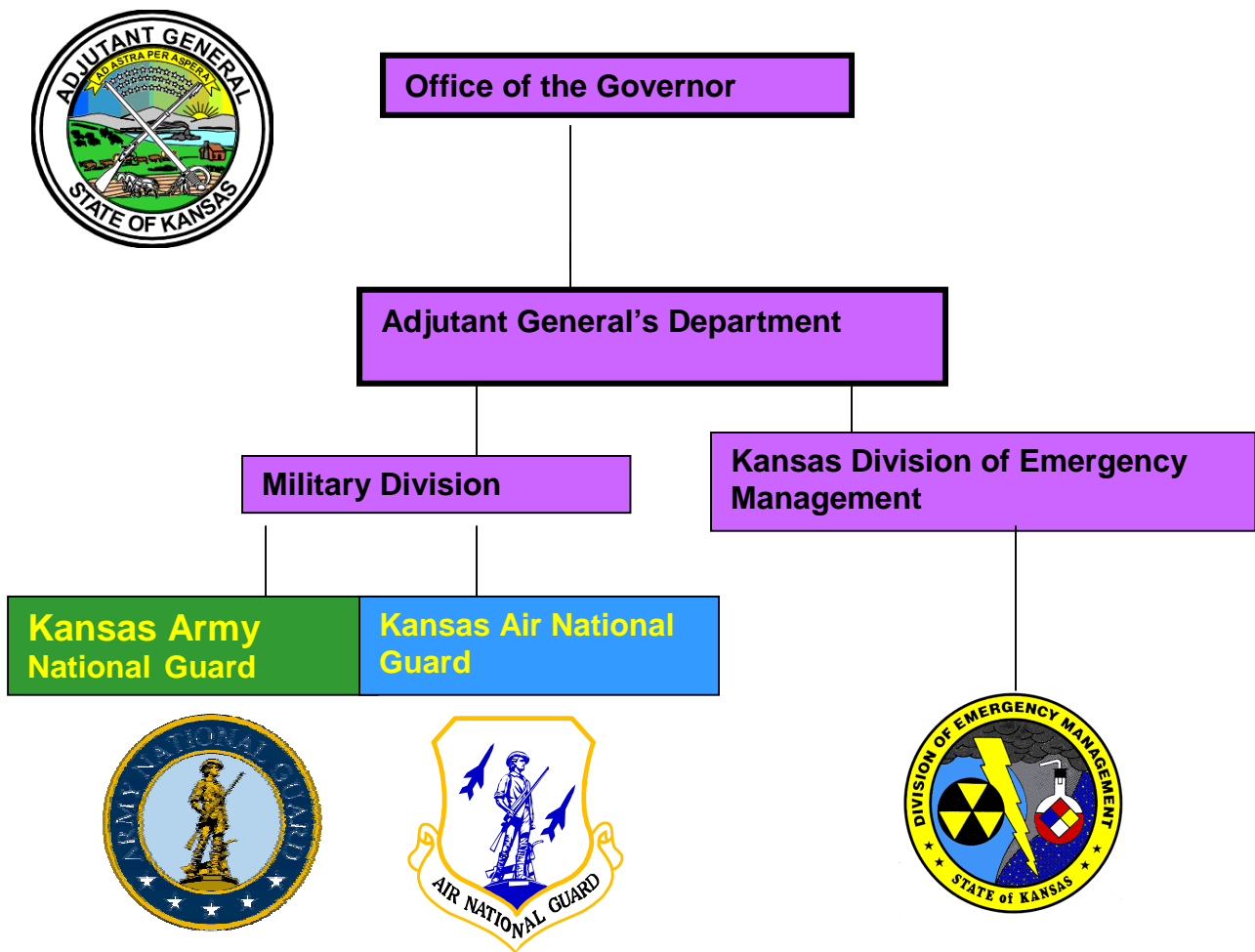
Earthquake Hazard Reduction Program

The State of Kansas has declined participation in the National Earthquake Hazards Reduction Program, based on geological assessments of the State's vulnerability to earthquake hazards. The Planning Section will

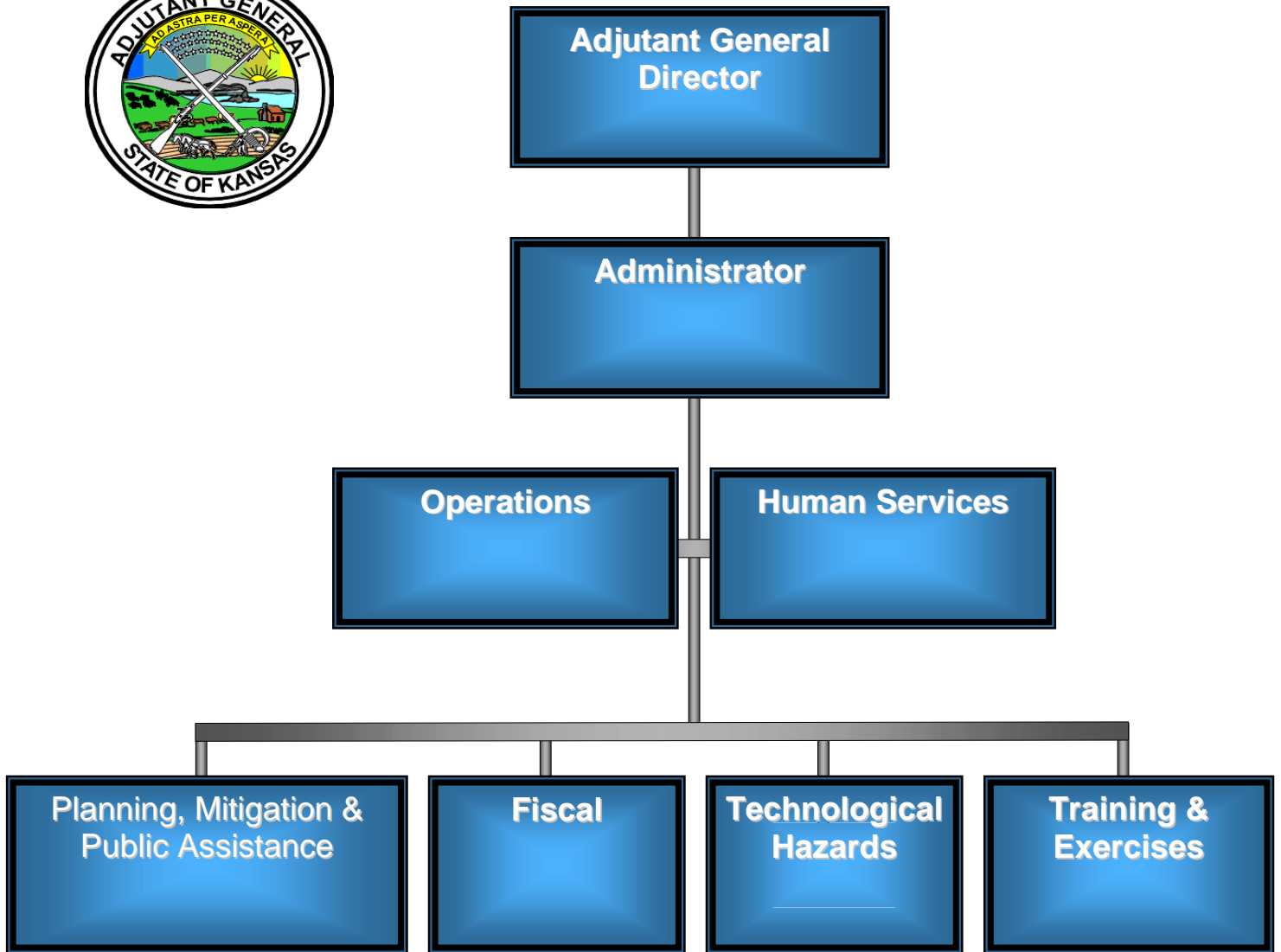
provide local Emergency Managers information on earthquake hazard reduction, upon request.

Site Emergency Plan

This program focuses on providing assistance to special facilities, such as government office buildings, nursing homes, schools, and child care centers, in developing site emergency plans for their own use. Sample plans will be made available through local Emergency management agencies, or regulatory State agencies, to interested facility administrators.



Kansas Emergency Management



STATE OF KANSAS
THE ADJUTANT GENERAL
DIVISION OF EMERGENCY MANAGEMENT
2800 SW TOPEKA BLVD
TOPEKA, KANSAS 66611-1287

FAX (785) 274-1426

**(785) 296-3176 OR 575-7370 pager
(Emergency Only)**

ADMINISTRATOR

Gene Krase 274-1401

FISCAL SECTION

Division Comptroller	Geneva Tucker	274-1415
Accounting Specialist	Stephanie Moeller	274-1416
Office Assistant / Public Assistance Support	Dave Baker	274-1458

OPERATIONS

Operations Officer	Sandy Johnson	274-1422
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INFORMATION TECHNOLOGY OFFICE

IT Manager	Steve Armstrong	274-1432
PC Technician	Shawn Quackenbush	274-1418
Network Control Technician	Danita Radford	274-1420
Software Development Specialist	Gail Rasmusson	274-1449

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Senior Planner	Ida Kirmse	274-1406
Planner	Charlie McGonigle	274-1421
Planner	Rob Reschke	274-1405
Hazard Mitigation Officer	Julie Eichen	274-1404
Planner	Charles Bredahl	274-1493

TECHNOLOGICAL HAZARDS

Administrator	Frank Moussa,	274-1408
Nuclear Fees Administrator/SLA	L'Tanya Christenberry	274-1402
Technician	Mark Stadel	274-1407
Office Specialist	Sivi Murray	274-1409
Chemical Risk Planner	Julia Hanson	274-1419
Chemical Risk Planner	Leticia Arzate	274-1423
Office Assistant (p.m.)	Lisa Ross	274-1417

TRAINING

Training Officer	Anne Allen,	274-1413
Exercise Officer	Terri Ploger-McCool	274-1411
Office Specialist	Sandy Hoover	274-1412

Office Assistant	Nell Thompson	274-1430
Office Assistant (a.m.)	Kate McNorton	274-1431

DISASTER PROGRAMS

HAZARD MITIGATION

State Hazard Mitigation Officer	Julie Eiche	274-1404
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PUBLIC ASSISTANCE

Rob Reschke	274-1405
Lloyd Arnold	274-1398
Gus Parsel	274-1397

INDIVIDUAL ASSISTANCE

Angee Morgan	274-1403
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CHAPTER 8 State and Local Assistance Budget Process

Purpose and Objective of the State and Local Assistance Program

State and Local Assistance program is offered to counties to assist in providing emergency assistance in response to hazards as defined in section 602(a). KDEM distributes requests applications to the counties for SLA funding in June. The applications are submitted for SLA funds to FEMA on August 1, of each year. Once FEMA awards funds, the State allocates SLA funds to eligible counties. Funding cannot exceed 50% of the administrative costs of the program.

SLA counties have to meet required performance objectives, which are on the KDEM 100 Performance Report. There are six steps in applying and submitting for SLA monies. Counties can receive the SLA reimbursements in two forms 1st. The county can receive two payments mid year and end of year, or 2nd the county can receive one payment (total amount) at the end of the year.

STEP 1. June of each year the SLA administrator will mail out the

- ✓ Program Submission Form which has to be signed by the Director/Coordinator and the County Elected Official
- ✓ Form sixteen is the Summary of Expenses, the coordinator needs to estimate the salary expenses

The forms that are mailed out in June are for the upcoming year

STEP 2. July 15 of each year

- ✓ Coordinator needs to mail both forms Performance Report and KDEM 16, back to the SLA Administrator by July 15 of each year

- ✓ Along with current position descriptions

These forms are for the upcoming year

STEP 3. April 15 each year counties that receive mid year SLA funds (for the current year) need to submit to the SLA program administrator for the current SLA year, which runs Oct 19 through March 31.

- ✓ KDEM Performance Report completed
- ✓ KDEM Form 15 (SLA Payroll Summary) completed

STEP 4. First SLA mid year reimbursement award is sent to counties.

STEP 5. October 15 each year, the final SLA report for the months of April 1 through September 30 each year. Counties need to submit

- ✓ KDEM Performance Report 100
- ✓ KDEM Form 15
- ✓ All supporting documents that are requested on the Performance Report (current position descriptions, 5 years exercise plan, exercise report...)

STEP 6. KDEM sends out final SLA reimbursement awards to the counties in November and December.

Key items to remember are that if the objectives on the KDEM Performance 100 report are not met there is a penalty for each objective and the amount will be deducted from the SLA award to that county.

If you need additional forms or information please visit our website Kansas Division of Emergency Management, or call the SLA Grant Administrator at (785) 274-1402, or email lrchristenberry@agtop.state.ks.us.

[SLA Forms](#)

CHAPTER 9 Building An Exercise Program

The concept behind an exercise program is based on one important premise: **“EMERGENCY EXERCISES ARE WORTH THE EFFORT”**. Experience and data show that exercises are a practical, efficient, and cost-effective way for a community to prepare for disasters. Next to an actual occurrence, exercises are the most effective means for examining competence levels throughout the emergency management system.

In any discussion of emergency preparedness, the emphasis is on a *progressive, comprehensive exercise program*. In defining it's meaning, each of the terms is important.

- o It is **“*progressive*”** in that exercises are planned in a series, taking the corrective actions identified in one exercise and building them into the next exercise. Following this type of “building block approach”, each exercise conducted will become increasingly more involved and more challenging, resulting in stronger commitments to improving the system. It is this progression that drives the entire emergency management program.
- o It is **“*comprehensive*”** because it must consider every type of responding agency in the community. Many of these agencies have requirements to exercise each year, and the community will be better served if exercises are conducted in unison.
- o It is a **“*program*”** in that it is carefully planned to achieve specific goals. A solid exercise program not only promotes an awareness of potential hazards but also provides an avenue to achieve a variety of planning and training objectives.

Benefits

There are two main benefits for creating and maintaining an exercise program.

- o The *first* is individual training. People practice their roles and get better at them. Research has shown that people generally respond to an emergency in the way they've been trained and the way they practice. So, it only makes sense to ensure that plans are written and exercised in a manner that matches the training.
- o *Second*, the emergency management "system," is improved. By conducting exercises, opportunities for inter-agency cooperation and team building flourish, and public awareness is enhanced.

Benefits arise not just from exercising but also from evaluating the exercise and acting upon the recommendations. An exercise has value only when it leads to improvement.

A comprehensive exercise program that is to be progressive requires some planning in order to meet specific operational goals. Effective planning thus becomes the foundation for the exercise program and validates the need for such a program.

Prior to beginning an exercise program, there are some preliminary actions that must be taken to lay groundwork for the entire exercise process and to assure that the level of exercising selected is appropriate.

Review the existing local emergency operations plan

The base document that serves as the road map for the exercise program is the Plan. All the components, which include the Annexes, Appendices, and Standard Operating Procedures/Guidelines for each functional area, are critical to the design, conduct, and evaluation of exercises. These documents explain: *1) who, 2) what, 3) where, 4) when,*

5) how, and 6) how much in regards to the emergency management system. Basically this is the place to begin to find **what** and **how** the jurisdiction should be exercising.

Assess the jurisdiction's capability to conduct an exercise

Before launching an exercise, it is important to find out what skills, resources, personnel, and support are available. Deficiencies in any of these areas will have to be considered in the exercise design process. For instance, it is possible that before consideration is given to planning an exercise, there may be an obvious need to **develop support** within the system and to **train** key individuals.

QUESTIONS TO BE ASKED

- ✓ When was the last exercise, and what was involved?
- ✓ What exercise experience is available in the community/jurisdiction?
- ✓ How much preparation time can be allocated to developing an exercise?
- ✓ What personnel can/will be devoted to developing the exercise?
- ✓ What skills can those people provide?
- ✓ What physical facilities will be available for use to conduct the simulated emergency operation?
- ✓ What communications, facilities, and systems are used for emergency operations?
- ✓ What is the expected attitude of the chief executive official and the emergency service directors to an exercise?

Address Costs and Liabilities

Both costs and liabilities are issues that will eventually share center stage, whether it is an exercise or an actual disaster occurrence. No matter

what the situation, addressing these issues early on will help minimize their effects.

A problem inherent in some exercises is the possibility of personal injury or damage to equipment. Liabilities need to be recognized most often when conducting field type exercises. Before planning the exercise, become familiar with the jurisdiction's insurance coverage and any mutual aid agreements.

Costs, both obvious and hidden, are incurred during every stage of the exercise development process. These costs consist of staff salaries, equipment and supplies, contract services, printing, postage, and other related miscellaneous expenses. Costs incurred through staff training, planning, and exercising should be recognized by government officials and budgeted for accordingly.

Identify Barriers

Oftentimes, exercises “just don't happen” because of certain limitations within and amongst those agencies and participants involved. *Lack of time* and *apathy* are commonly mentioned as not reasons for conducting exercises.

If an exercise program is going to have any longevity, barriers must be identified and confronted early on. Once barriers are fully brought into the open, it becomes a major responsibility and duty of the exercise designers to develop an exercise that will create opportunities for new learning and, thus, make the time invested worthwhile.

Gain support for a comprehensive exercise program

It is essential to gain official support for an exercise program and to establish authority from the beginning. Whether elected or appointed, the

chief executive official can get nearly instant and complete cooperation. Without that, developing and conducting exercises can be very difficult.

Because official support varies from jurisdiction to jurisdiction, the process for establishing this support is dependent on the existing emergency management program. Technical assistance from KDEM can be provided to jurisdictions and agencies upon request.

Determine the appropriate exercise Levels(s)

Knowing when to exercise and at “What level” is critical to the success of an exercise program. It goes back to that “building block approach” in the exercise design process in that it is best to walk before running. For example, a community that has never exercised before may not be ready for a full-scale exercise. Sometimes rushing the exercise process too quickly will open the door to potential failures. Therefore, it is best to begin at an exercise level that equals the readiness level within the community.

Timing of exercises is also crucial in determining program success. Since exercises are organized to increase in complexity, each one will require more preparation time, more personnel, and more planning than the proceeding one. Allowing the appropriate time to prepare for an exercise is extremely important. Another timing consideration is based around actual occurrences. Obviously, no one wishes for a disaster to happen, but it can be an excellent learning tool.

Conducting exercises based on actual scenarios and actual actions taken allows jurisdiction to evaluate operations in greater detail. This includes those occurrences within the jurisdiction as well as those occurring in other areas of the state and/or nation.

Whichever exercise level is chosen, the focus should always be on locating and eliminating the gaps and problems *before* an actual emergency occurs. In many cases, participation is limited because there is still a mindset that making mistakes during an exercise warrants penalties. In actuality, the most successful exercise is **not** one where all went well but one that forces an honest look at capabilities and leads to improvement. An exercise without mistakes is an exercise without a cause.

Organize a Design Team

Because planning an exercise requires a multitude of tasks, it is most beneficial to organize an exercise design team to assist with the exercise development process. Ideally, the team should include representatives from each of the key departments within the jurisdiction as well as representatives from private organizations large enough to have exercise mandates. It would be most helpful if these people are familiar with the LEOP and possess a level of authority within their respective departments and agencies to make certain planning and evaluation decisions. Selecting team members with varied backgrounds helps with both coordination and creativity.

During the team selection process, it would be advantageous to locate members that have had some experience with the exercise process. Even more importantly, finding those individuals who show interest in committing to the process would greatly enhance the team mission. Bottom line: gaining a clear picture of the expertise within the jurisdiction is essential to building a quality design team.

Determining training needs of selected team members would be another step in the right direction. Exercise design and evaluation training is available. This training is useful not only for teams that are new but

experienced teams as well. Any type of training process tends to re-establish that *team* concept.

Exercise Type

The purpose of exercises is to promote, test, train, and demonstrate. The type of exercise chosen depends on the purpose to be accomplished. There are basically five types of emergency exercises:

1. Orientation seminar
2. Drill
3. Tabletop
4. Functional
5. Full-scale

As a general rule, the exercises gradually increase in complexity, realism, and stress.

Orientation Seminar

As the name suggests, the orientation is an overview or introduction. Usually presented as an informal discussion in a group setting, it is very low-stress. Its purpose is to familiarize participants with roles, plans, procedures, or equipment. It can also be used to resolve questions of coordination and assignment of responsibilities or to motivate new players.

There are a variety of formats for an orientation, such as lecture, discussion, slide or video presentations, computer demonstrations, panel discussions, or guest lecturer. There is little or no simulation involved.

Drill

A drill is coordinated, supervised activity normally used to test a single specific operation or function in a single agency. Drills are also utilized to provide training with new equipment, to develop new policies or procedures, or to practice and maintain current skills. A drill focuses on one

small part of the overall jurisdictional plan. Drills are a routine part of the daily job and agency training goals.

The key phrase is “single emergency function”. There is no attempt to coordinate agencies or to test the entire emergency management system. The format involves actual field response. It should be as realistic as possible, employing any equipment or apparatus for the function being drilled.

Tabletop

A tabletop exercise simulates an emergency situation in an informal, non-threatening environment. It is designed to elicit constructive discussion as participants examine and attempt to resolve problems related to emergency operations, coordination, and response. Participants are encouraged to discuss issues in depth and develop decisions through slow-paced problem solving rather than rapid, spontaneous decision-making such as occurs under actual emergency conditions. This exercise can be conducted in an Emergency Operations Center or a conference type setting.

Since a tabletop exercise is a chance for participants to become familiar with their roles and responsibilities, it is considered vital for training and planning purposes. The success of this type of exercise is largely determined by group participation in the identification of problem areas and the follow-up to necessary tasking.

Functional

A functional exercise is fully interactive and simulates the reality of operations in the most realistic manner possible. As the name suggests, its goal is to test or evaluate the capability of one or more functions or the complex activity within certain functions before, during or after any emergency period. It is an effective method for testing a coordinated

response based on the emergency operations plan. It also is used to train operational and policy level personnel.

The format is stressful because players respond in a realistic time frame, with on-the-spot decisions and actions. The exercise is designed to present complex and realistic problems that might truly occur in an actual emergency.

Full-Scale

A full-scale exercise is as close to a real disaster as possible. It is a field exercise that requires the mobilization and actual movement of emergency personnel, equipment, and resources. This mobilization demonstrates bottom-up coordination and response capabilities. Ideally, it should test and evaluate most or all of the emergency functions within the local emergency operations plan.

This type of exercise is designed to evaluate operational capabilities of emergency management systems in a highly stressful environment, which simulates actual response conditions. Realism is the utmost importance and therefore taxes community resources and commitments.

Although the largest undertaking in the exercise program, the full-scale exercise is not the end but rather the beginning of an on-going process. A full-scale test generally produces situations where problem solving becomes a necessity, and thus, the exercise cycle continues.

Exercise Requirements

Because the human and monetary costs of disasters are so high, governments and other agencies have certain guidelines, requirements, and/or mandates on planning, training, and exercising. With careful planning, organizations can come together and meet the exercise needs of more than one agency at a time. Thus, it would be beneficial to seek out

those agencies and organizations within the jurisdiction that have exercise requirements.

Some examples include:

- *Nuclear power plant facilities must exercise their plan annually, conducting government (FEMA, NRC) evaluated exercises every two years.*
- *Agencies and/or facilities which fall under the coverage of SARA Title III must evaluate their hazardous materials response and recovery plan annually. This can best be accomplished through an exerciser.*
- *Airports are required to conduct a full-scale exercise every third year with a minimum of a tabletop exercise every two years in between.*
- *Hospitals and nursing homes must conduct internal and external exercises every year to maintain certification requirements*
- *According to concurrent resolution passed by the 1999 Kansas Legislature, schools are urged to conduct regular drills to practice their school crisis plans*
- *State and local governments receiving federal funds from FEMA through the SLA, EMPG process must comply with certain exercise requirements. Those include:*
 - *The establishment of a five year exercise plan that represents the “vision” of the overall emergency management program: must include, at a minimum;*
 - ✓ *At least one (1) full-scale exercise (credit for tabletop exercise given on a limited basis)*

- ✓ *A full activation of the designated Emergency Operations Center (EOC)*
- ✓ *At least one (1) recovery exercise*
- ✓ *Incorporating a provision to comply with the requirements of SARA Title III*
- ✓ *Special consideration for assessing local capabilities for managing the consequences of a terrorism threat or action*
- ✓ *Substituting exercise credit for an actual occurrence based on special criteria (for clarification contact the State Exercise Training Officer).*

Steps for Developing Exercises

Because exercises have proven to be an efficient means for determining operational readiness, it is only wise to establish an efficient process for developing them. The emphasis needs to be on functions rather than types of disasters because preparedness in those functions has commonalties across all emergencies.

No matter which exercise type is chosen, it may be helpful to know that a sequence of tasks has been established that will aid in the development of the exercise. The following outlines the design steps:

Step 1. Conduct A Needs Assessment

[This establishes the reason(s) or need(s) to do an exercise, while defining program areas to be improved.]

Step 2. Define The Scope

[This defines the parameters for the exercise. It helps to identify those areas of highest priority that can be realistically tested and evaluated in an exercise, and assists in determining who should be involved.]

Step 3. Write a Statement of Purpose

[This is a broad-based statement that explains clearly and concisely why the exercise is being conducted. The purpose statement should eventually be distributed to all participating agencies.]

Step 4. Establish A Clear Exercise Directive

[This is the process taken to gain official support for the exercise. This may be the first notification most *agencies and players will receive about the upcoming exercise.*]

Step 5. Develop Exercise Objectives

[This is a description of the performance expected from exercise participants in order to demonstrate competence. Objectives must be written in a format that is measurable and observable.]

Step 6. Outline Performance Criteria & Extent of Play

[This determines the specific steps and actions taken that must be implemented or taken to satisfy the objective. What does the plan say to do? This also explains what actions will actually be initiated and which are just simulated]

Step 7. Plan The Exercise Events

[These are events (can be both major and related minor events) that might generate situations that would test the objectives. A Master Sequence of Events Lists (MSEL) is created.]

Step 8. Compose a Narrative

[This is a brief description “or story” of events that have occurred up to the minute the exercise begins. It is to capture attention and motivate exercise participants to proceed on.]

Step 9. Prepare Messages

[Messages are used to provide on-going information about the event to exercise participants which motivates actions and decisions based on the plan.]

Step 10. Develop The Evaluation Methodology

[This is the process of observing and documenting player activities comparing the performance of participants against exercise performance criteria, and noting strengths and improvements in relation to the emergency operations plan.]

Step 11. Exercise Conduct

[Exercise controllers, simulators, and evaluators play an important part in every exercise. Providing training for each of these roles is crucial to the success of an exercise.]

Step 12. Debriefing, Evaluation & After Action Reports

[This is the process that takes place upon completion of an exercise. It is the feedback and follow-up that allows for positive change.]

Technical Assistance Available

To aid jurisdictions in the exercise design and evaluation process, the state offers training on these topics and is open to those involved in the various emergency management functions. Also, technical support is available to assist jurisdictions in the design, facilitation, and/or evaluation of exercises on a request basis.

**Contact the State Exercise Training Officer, Kansas
Emergency Management, at
(785) 274-1411
questions regarding exercises**

[FEMA Emergency Management Exercise Reporting System](#)

Chapter 10 Hazardous Materials

The field of hazardous materials, including planning, training, response, and mitigation is complex. This chapter will provide new coordinators with an outline of the responsibilities of the major players at the local, State, and Federal level. It also provides information on the minimum training requirements for first responders who may face hazardous materials incidents. This chapter briefly addresses the Radiological Protection Program. For additional information on chemical and radiological matters, or any specific topics not covered in this chapter, contact the Kansas Division of Emergency Management, Technological Hazards Section.

Agency Roles and Responsibilities

Local Government

County Government

Since the Kansas Commission on Emergency Planning and Response (CEPR) designated Local Emergency Planning Districts as co-jurisdictional with county boundaries, there has been confusion regarding the relationship between the Local Emergency Planning Committee (LEPC) and county or municipal government. The LEPC members are appointed by a state appointing body (CEPR) and derive their authority under federal and state statute. They act in the capacity of a state agency.

Local government has no direct authority over the actions of the LEPC as a committee. However, members of local government, and local agencies (police, fire, elected officials, etc.) frequently are members of the LEPC. Further, the local emergency plan is meaningless unless it is accepted

by the local level emergency preparedness agencies as “their” operations plan. Since local government must sanction both the acceptance of the plan and approve the commitment of their employee’s time and resources, local government does exercise a level of indirect control.

The separation of the planning function from the operational functions was intentional. Any statutory scheme that established one local level of government as responsible for LEPC operations would inherently cause conflict with other levels of local government (i.e. a county commission with control over city agencies participating on the LEPC).

The LEPC was structured as a forum where all participants would come together to accomplish planning without imposing a hierarchal structure. Consequently, the effectiveness of the plan is critically dependent upon acceptance by local response agencies. Thus, in order to have an effective LEPC, the wishes of its participating agencies must be considered. Failure to do so would result in an emergency operations paper plan, which would not be implemented. The operation of the LEPC as a state agency also provides insulation of local government from liability for the LEPCs’ actions.

As state employees as defined by the Kansas Tort Claims Act, LEPC members are insulated from liability to a degree, and actions of the LEPC as an agency are also protected.

When designating local planning districts as co-jurisdictional with the counties, Kansas Emergency Management (KDEM) intended to use the existing emergency preparedness network as the framework upon which to build the LEPC structures. Further, KSA 48-901 et. Seq., Emergency Preparedness for Disaster (Sections 930-939 in particular) establishes the authority of KDEM to conduct disaster planning and describes the role of

local government in supporting statewide emergency planning and disaster response.

The plan developed by the LEPC is an annex to the All Hazards Plan prepared under the direction of KDEM pursuant to this act. Under KSA 48-929, county and city governments are required to establish and maintain a disaster agency responsible for emergency preparedness and coordination of response to disasters.

The actions of the LEPC as the agency designated by KDEM to prepare a local emergency plan as a cooperative effort between local and state government and the private sector would meet the standards of 48-929 if sanctioned by local government. Therefore, when an LEPC is acting under local government authorization, the county commissioners or municipal officials may exercise their authority over the LEPC's actions to the extent that the LEPC acts on their behalf.

The foregoing discussion of legal authority supports the goal of the Emergency Planning and Community Right-to Know Act, to encourage and support local emergency preparedness with regard to chemical hazards.

Since chemical disasters transcend environmental media (air, land, and water) and jurisdictional boundaries (county or municipal lines), it is imperative that all levels of government responsible for public health and safety cooperate toward preparing for potential disasters.

Local Emergency Planning Committee (LEPC)

LEPCs are responsible for establishing plans for the title III Hazardous Materials Emergency Preparedness Program, coordinating exercises, and serving as the Right-to-Know program's point of contact.

Each LEPC is also responsible for participating in the review and development of the Local Emergency Operations Plan, to ensure all Haz-

Mat considerations are included in that plan, based on the Kansas Planning Standards (KPS). KDEM provides technical assistance to help the LEPCs accomplish this task.

Organizational Responsibilities

Establish plans for the Title III Hazardous Materials Emergency Preparedness Program, coordinate exercises based on its plans, and serve as the Right-to-know program's point of contact for its jurisdiction.

Composition

Each county in Kansas has an LEPC designated by the Commission on Emergency Planning and Response (CEPR). Each LEPC has from 12 to 20 members. Along with planning and exercise functions, each LEPC is also responsible for preparing and maintaining a Hazardous Materials Annex as part of the LEOP for each county.

LEPC is generally comprised of representatives from the following groups:

- Elected State and local officials
- Local environmental groups
- Transportation personnel (rail/pipeline/vehicular)
- Broadcast and print media
- Community groups
- Law enforcement
- Owners and operators of fixed facilities
- Hospitals
- EMS/Red Cross
- Fire fighting
- Health organizations
- Emergency management

The local Emergency manager should serve as an advisor or support person. An effective LEPC should and must be run by the members of the jurisdiction it serves.

Meetings should be held at least quarterly. The KDEM provides support to jurisdictions with LEPCs as well as jurisdictions seeking information of starting LEPCs.

County Emergency Management Agency

Each county in the State of Kansas maintains an emergency management office or department. Typically, during a hazardous material incident, the responsibilities of this organization are to maintain the emergency operations center, identify the county's Haz-Mat remediation needs, and provide support services. In addition, the director of the emergency management office is the community coordinator of emergency response.

To prepare for a hazardous material incident, the emergency management office maintains the local emergency operations plan (LEOP). The office also ensures that county personnel involved in the plan are aware of their duties and responsibilities. The emergency management office is available for support on a 24-hour basis.

Local Fire Department

If a hazardous material accident poses the treat of fire or explosion, the local fire department, based on their training level, will respond. Firefighters should prevent a fire or explosion from occurring. When this is impossible, the fire department is responsible for control and suppression of the fire or explosion. In addition, firefighters may help with search and rescue operations. Not all fire departments will take offensive actions against a Haz-Mat incident, many fire departments, based on their training and

resources, will be strictly operating in a defensive mode of protecting the public from the Hazard.

When a hazardous material incident occurs, local and county law enforcement officials help control the incident. When evacuation is necessary, law enforcement officials direct evacuation movement. They take the action necessary to control traffic and crowds, and if there are disabled vehicles in the area, they move the vehicles to a safer location.

If it is necessary to have a search and rescue operation, law enforcement officials play a lead role. They provide security as necessary, and if a curfew is established they enforce it. Local law enforcement officials maintain authority within their own jurisdiction with the county sheriff's office coordinating activities. If the situation becomes severe, the county sheriff's office may request the assistance of State and Federal law enforcement agencies.

County Health Department

County health departments that have personnel with Haz-mat training are responsible for safeguarding the local public against health problems related to a hazardous material incident. The first responder unit to arrive at the scene is responsible for the establishment of environmental control. If the incident presents the potential for epidemiological concern, the health department, in conjunction with the State, will be the lead agency.

If evacuation is necessary, the health department coordinates sheltering activities with the local agency designated in the LEOP as responsible for shelter provision. In most counties, the local chapter of the American Red Cross is responsible for shelter operations and management. Personnel in charge of the shelters must receive training in first-aid and procedures for sanitation control.

The health department, if qualified, may help other emergency personnel with cleanup assessment and disposal guidance of hazardous materials. If the incident causes a fatal injury, the health department must decontaminate the body and transport it to a funeral home. The local coroner offices are also responsible for notifying the next of kin.

Once a hazardous material incident is under control, emergency workers and/or victims may be mentally traumatized by the event. In this case, the health department is responsible for providing mental health care.

State Government

Kansas Emergency Management, Adjutant General's Department (KDEM)

Kansas Emergency Management, a division of the Adjutant General's Department is the lead State agency for all emergencies and disasters. The division compiles, reviews, supervises, and revises emergency plans for organizations at the State and local levels. The division is also responsible for the review and approval of county plans. To help organizations administer plans, KDEM provides training to planners, first responders, and other emergency personnel under the provisions of K.S.A. 65-929. Training courses are held throughout the year at various locations across the state.

To ensure that organizations can respond to an emergency, KDEM coordinates emergency preparedness exercises. These exercises simulate an emergency, and the organizations involved assume the duties and responsibilities they would have in an actual emergency. KDEM evaluates these exercises to decide if personnel are adequately prepared for an emergency.

KDEM stores, repairs, and lends radiation detection devices. These devices, which can be beneficial to detect radioactive materials, are available

to all State and local organizations that need them. In addition, KDEM provides training in the use of these devices.

When a hazardous material incident occurs, KDEM may respond to that incident if local authorities need assistance. KDEM is responsible for emergency notification, management of the incident, and coordination of the emergency response. If necessary, KDEM activates the State EOC. The division is also responsible for ensuring the Governor's office receives updates about the incident.

KDEM collects and stores spill data regarding each hazardous material incident that occurs across the state. Local industry must report incidents to KDEM even if a response from the State is unnecessary. Each year, KDEM publishes the incident data in a report entitled, "SARA Title III Spill and Response Report."

KDEM personnel are also responsible for evaluating the emergency response to the incident. These evaluations are a good reference for adjustments to make in future emergency responses.

Kansas Department of Health and Environment (KDHE)

The Kansas Department of Health and Environment is involved in Environmental Remediation responses for hazardous material incidents. To ensure Kansas communities have adequate information regarding hazardous chemicals, KDHE carries out the Right-to-Know program. Through this program, information about hazardous chemicals is collected distributed throughout the state.

To ensure proper administration of waster disposal programs KDHE provides technical assistance to all Kansas counties. KDHE also monitors

3,750 facility storage locations for extremely hazardous materials. The public and local planning officials receive information about these locations.

During a hazardous material incident, KDHE is responsible for the environmental aspects of the incident. This involved management of environmental contamination through pollution source control and remedial activities. This also involves the assessment of food, water, soil, and other environment media to detect possible biological and chemical contamination.

If contamination is present, KDHE ensures cleanup action is adequate to return the environment to its pre-incident status. KDHE designs and oversees remedial activities, and, if necessary, may negotiate the cleanup process with the parties responsible for causing the incident. Once the emergency is over, KDHE may investigate the incident to find its cause and gain other beneficial information.

Through its Bureau of Air and radiation, KDHE provides guidance and regulator oversight for peacetime nuclear incidents at facilities licensed by the State for possession, use, transportation, and disposal of radioactive material. In case of such an incident, KDHE must immediately inform KDEM. KDEM will provide coordination support.

KDHE's Bureau Air quality and Radiation Control provides planning assistance to KDEM and to local entities regarding chemical incident risk assessment and air quality modeling and analysis. The Bureau provides assistance in the collection, analysis, and maintenance of data about accidental releases of air toxics and radioactive materials. The Bureau also assumes and performs the responsibilities listed in the September 26, 1985 Interagency Agreement between KDHE and KDEM.

Kansas Corporation Commission (KCC)

The Kansas Corporation Commission has three members appointed by the Governor to serve four-year terms that overlap. The KCC regulates public utilities, express companies, motor carriers, and oil and natural gas production. KSA 66-101 created the KCC in 1993 by combining the State Railway Commission, Public Utilities Commission, court of Industrial Relations, and Public Service Commission. KSA 74-601 specifies KCC membership, terms of office, and filling of vacancies.

Regarding emergency response, the KCC responds to incidents involving pipelines and wells. The KCC's primary responsibility is to help with the investigation of the incident. Actions taken by KCC may include identification of the hazardous material and mitigation activities.

In some incidents, transmission lines may be involved. In these cases, KCC will help to identify and locate the lines and the shut off points in areas outside towns and cities.

Kansas Department of Agriculture (KSDOA)

The Department of Agriculture has statutory responsibility to regulate a variety of agriculture products including pesticides, and herbicides, and fertilizers. KSDOA is responsible for ensuring the safe use of these chemicals. When a hazardous material incident involves bulk fertilizer, anhydrous ammonia, or a bulk agricultural chemical, KSDOA uses its laboratory facilities to analyze, test, and provide information about these substances. If necessary, KDDOA may embargo the use of milk, meat, or poultry in the area, if the situation warrants.

Kansas Department of Transportation (KDOT)

In 1975, the Kansas Legislature created the Department of Transportation to replace the State Highway Commission, established in

1929. When a hazardous material incident occurs, KDOT provides radiological monitoring and help KDHE to establish evacuation routes and secure the area. KDOT also helps to contain the spill and will establish and maintain roadblocks.

Kansas Fire Marshal's Office

During a hazardous material incident, the Kansas Fire marshal's office may provide personnel to assist in the determination of hazardous materials spill or leak control, chemical reactions and incident mitigation. The Fire Marshal may also assist by coordinating local fire department and by providing personnel to investigate the incident.

The Fire Marshal's Office is also responsible for inspections, review, regulation, and enforcement of codes. This applies to storage tanks, mobile transports, bulk facilities, users of explosives and blasting agents, fireworks, and motor vehicles that transport hazardous materials.

Kansas Department of Wildlife and Parks (KWP)

The Kansas Department of Wildlife and parks has statutory authority for the management of the public land and water. KWP's responsibilities include enforcement of wildlife laws, management and research of wildlife resources, and maintenance of environment and wildlife education efforts during a hazardous material incident, KWP is responsible for the evacuation of any public land and/or water that is affected. KWP also cooperates with KDHE to investigate water pollution and its sources. Other types of pollution may also be investigated by KWP.

Kansas Highway Patrol (KHP)

KSA 74-2105 established the Kansas Highway patrol in 1937. Primarily, KHP is responsible for enforcing traffic and other State laws regarding vehicle operation on State highways.

When a hazardous material incident occurs, KHP notifies the Governor, KDEM, and all affected local law enforcement agencies. During a hazardous material incident, KHP is responsible for providing emergency evacuation services. KHP also assists with traffic related responsibilities and may help evacuate if necessary. To secure the area, KHP can provide self-protection radiological monitoring assistance.

Commission on Emergency Planning and Response (CEPR)

The Commission on Emergency Planning and Response has 17 members representing the Governor's office, State legislature, various State organizations, and the private sector. To assist Kansas counties in emergency preparedness, the CEPR designates LEPCs. Each county has an LEPC, and the CEPR supervises and coordinates the activities of each.

Kansas National Guard (KSNG)

In a severe hazardous material incident, State officials may request assistance from the Kansas National Guard. The KSNG's primary responsibilities include security maintenance and assistance with search and rescue operations. Guardsmen may augment law enforcement resources, provide transportation and communications services, and explore the area by air.

Federal Government

Environmental Protection Agency (EPA)

If a hazardous materials incident is severe state officials may seek Federal assistance through the Environmental Protection Agency. EPA may be asked to provide technical assistance and advice. Primarily, the EPA works closely with the Kansas Department of Health and Environment. The EPA may survey the incident to find environmental problems, provide

laboratory services for tests and analyses, and participate in remediation activities.

Nuclear Regulatory Commission (NRC)

The Nuclear Regulatory Commission is the lead Federal agency in Nuclear Power Plant radiological emergencies. When the State requests its services, the NRC is responsible for seeking assistance from other Federal agencies. Once the Federal agencies respond, NRC coordinates the onsite response actions. The NRC coordinates all decisions made by Federal agencies and then notifies the State of these decisions. Information released to the public, Congress, and the White House comes from the NRC.

Federal Emergency Management Agency (FEMA)

If a hazardous material incident causes massive injury and uninsured damage, a Presidential Declaration may be issued. If this occurs, the Federal Emergency Management Agency is the lead federal agency to administer the Federal Disaster Assistance program. FEMA coordinates with other Federal, State, and local agencies to provide disaster relief assistance, technical assistance or advice, and remediation activities.

Department of Energy (DOE)

Either State officials or the NRC can request the services of the Department of Energy. During a Radiological incident, DOE provides monitoring assistance and may help with the removal and disposal of radioactive discharges. In addition, if personnel from the State and DOE cannot handle the incident, DOE may activate the Federal Radiological Monitoring and Assessment Center (FRMAC)

US Department of Transportation (DOT) Bureau of Explosives

The Bureau of Explosives provides assistance for incidents involving interstate transportation of hazardous materials. To gain assistance from the

Bureau, response personnel should contact the Bureau in Washington, D.C., or the Bureau's nearest inspector by telephone. To offer the best assistance possible, the Bureau will need to know as much as possible about the incident including the bill of lading description and the shipper's name.

SARA TITLE III TRAINING AND CERTIFICATION REQUIREMENTS

The following information relates to the establish methods of certification, and specific training programs per 29 Code of Federal Regulation (CFR) 1919.120 paragraph (q); 40 CFR 31; and Chapter 65 of the Kansas Statutes Annotated (KSA) Article 57.

Definitions

First Responder: Any governmental employee, paid or volunteer, who by reason of employment may come upon or be required to respond to a hazardous materials incident or accident.

Employer: The entity, which has oversight on scheduling, managing and conducting training.

Emergency Response Operations: For release of, or substantial threats of release of, hazardous substances which are not covered by paragraphs (a) (1) (I) through (a) (I) (iv).

Emergency Response: A response effort by employees from outside the immediate release area or by other designated responders (i.e. mutual aid groups, local fire departments, etc.) to an occurrence, which results, or is likely to result, in an uncontrolled release.

Hazardous Materials Response Team: An organized group of employees who are expected to perform work to handle and control actual or potential leaks or spills of hazardous substances for the purpose of control or stabilization of the incident.

Hazardous Substance: Any substance designated or listed under paragraph (A) through (D) (of 29 CFR 1910.120) exposures to which results, or may results, in adverse effects on the health or safety of employees.

Training

Training will be based on the duties, functions, and resources of each responder of an emergency response organization. All new responders will be trained before they are permitted to take part in actual emergency operation on an incident. Training is to be given in accordance with the following levels.

First Responder Awareness Level

First responders – awareness level are individuals who are likely to witness or discover a hazardous substance release. An emergency response is then initiated by notifying the proper authorities of the release. No further action is taken beyond notification. First responders at the awareness level are to have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- o Understandings of what hazardous materials are, and the risks associated with them in an incident
- o An understanding of the potential outcomes associated with an emergency created when hazardous materials are present
- o The ability to recognize the presence of hazardous materials in an emergency
- o The ability to identify the hazardous materials, if possible
- o An understanding of the role of the first responder awareness individual in the employer's emergency response plan, including site security and control, and the U.S. Department of Transportation's Emergency Response Guidebook
- o The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

NOTE: The State Commission on Emergency Planning and response (CEPR) recommends a minimum eight hours training for Awareness Level Certification.

First Responder Operations Level

First responders at the operations level are individuals who respond to releases, or potential releases, of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures.

First responders at the operational level will have received at least 16 hours of training or have had sufficient experience to objectively demonstrate competency of the following areas in addition to those listed for the awareness level:

- o Knowledge of the basic hazard and risk assessment techniques
- o Know how to select and use proper personal protective equipment provided to the first responder operational level
- o An understanding of basic hazardous materials terms
- o Know how to perform basic control containment and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit
- o Know how to implement basic decontamination procedures
- o An understanding of the relevant standard operating procedures and termination procedures

Hazardous Materials Technician (Offensive Action)

Hazardous materials technicians are individuals who respond to releases, or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch or otherwise stop the release of a hazardous substance. Hazardous materials technicians must have received at least 24 hours of training equal to the first responder operations level. In addition they must demonstrate competency in following areas:

- o Know how to implement the employer's emergency response plan
- o Know the classifications, identification and verification of known and unknown materials by using field survey instruments and equipment
- o Be able to function within an assigned role in the Incident Command System
- o Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician
- o Understand hazard and risk assessment techniques
- o Be able to perform advance control, containment and/or confinement operations within the capabilities resources and personal protective equipment available with the unit
 - o Understand and implement decontamination procedures
 - o Understand termination procedures
 - o Understand basic chemical and toxicological terminology and behavior

On-Scene Incident Commander

Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, will receive at least 24 hours of training equal to the first responder operations level and, in addition demonstrate competency in the following areas:

- o Know and be able to implement the employer's incident command system
- o Know how to implement the employer's emergency response plan
- o Know and understand the hazards and risks associated with employees working in chemical protective clothing
- o Know how to implement the local emergency response plan
- o Be familiar with the State emergency response plan, and/or the Federal Regional Response Plan
- o Know and understand the importance of decontamination procedures

Reciprocity

Any individual, who receives training at a location other than his/her present place of employment, shall be granted whatever level of certification granted through the former employer, upon proof of training taken, or by receipt of notice from the former employer. Confirmation from State data base records shall also constitute proof of training for the purpose of reciprocity within and without State borders.

RADIOLOGICAL

The Radiological Protection Program of the Kansas Emergency Management (Tech-hazards) will coordinate the response of agencies and services to radiological incident. The Tech-hazards section is responsible for conducting radiological protection operations, training, planning, and maintenance of protection, detection, and monitoring equipment.

The administrator and staff of radiological systems along with the Department of Health and Environment personnel, make up the Radiological Protection Response Team. Following notification of a radiological emergency, Tech-Hazards will notify and coordinate with the Kansas Department of Health and Environment and other appropriate local, State, and Federal agencies. The administrator is also responsible for the formulation and dissemination of public information.

The Bureau of Air and Radiation, within the Kansas Department of Health and Environment, has regulatory control over radioactive material licensees in Kansas. During an emergency situation the bureau will provide assistance in the collection, analysis, and maintenance of data and would approve monitoring and clean-up operations associated with the release of radiological materials. The bureau also provides planning assistance and air quality analysis.

Air Modeling Program

CAMEO

When addressing the issue of hazardous materials planning and response, there are tools that can aid both the planning process and response actions. Some of these tools are air-modeling programs, which can assist first

responders in accessing accurate responder information. Air modeling programs allow the responders to identify chemical information, link it to mapping systems so that the location of the incident may be used to identify where the plume of a hazardous material could be dispersed. These tools can be used by: Emergency Management, First Responders, Schools, Industry, and Environmental organizations to plan for a potential incident that might occur and be used to respond to a true incident.

Currently the State is assisting in disseminating information and training on the Computer-Aided Management of Emergency Operations (CAMEO), which utilizes a database, mapping program and modeling program, which was developed by EPA and NOAA. Kansas Emergency Management strongly encourages each county to utilize this modeling program to assist with hazardous materials planning sections in their Local Emergency Operations Plan and in the response to a hazardous materials incident.

CAMEO is just one of several modeling programs that may be utilized by a county, however, it is the most cost effective for the counties to use, this program may be downloaded from the EPA web page for free. It is not mandated that the counties utilize a modeling program, however it is a very effective tool that can be used to support planning and response actions.

**State of Kansas Hazardous Materials Emergency Notification
Requirements Guidance
(CFR 40 Section 302, 304 & 355.40) (K.S.A. 65-5707)**

Kansas Statutes Annotated, Chapter 65, Article 57, Kansas Emergency Planning and Community Right-To-Know Act, Section 65-5707 identifies that this statute adopted the provisions of the federal emergency planning and community right-to-know program. Therefore, hazardous

material and extremely hazardous material releases should be reported in accordance to the federal law, Section 302 and 304.

SECTION 304: EMERGENCY NOTIFICATION.

Facilities must immediately notify the Local Emergency Planning Committees (LEPC's) and the State Emergency Response Commissions (SERC's), in Kansas the SERC was replaced by the Commission on Planning and Response (CEPR), likely to be affected if there is a release into the environment of a hazardous substance that exceeds the reportable quantity for that substance. Substances subject to this requirement are those on the list of 360 extremely hazardous substances as published in Federal Register (40 CFR 355) as well as the more than 700 hazardous substances subject to the emergency notification requirements under CERCLA Section 103(a)(40 CFR 302.4). Some chemicals are common to both lists. Under CERCLA, 40 CFR Section 302.6 Notification Requirements (a), any person in charge of a vessel or an offshore or an onshore facility shall, as soon as he has knowledge of any release (other than a federally permitted release or application of a pesticide) of a hazardous substance from such vessel or facility in a quantity equal to or exceeding the reportable quantity determined by this part in any 24-hour period, immediately notify the National Response Center (NRC) (800) 424-8802. NRC will then notify other federal agencies and/or responders.

INITIAL NOTIFICATION:

Initial notification should be made verbally by telephone, radio or in person. Emergency release notification requirements can be met by dialing 911, or in the absence of a 911 emergency number, calling the operator. In Kansas a list of the Emergency Managers and LEPC's are made available from Kansas Emergency Management upon request or via KDEM's web

page so that the reporting entity may contact their County Emergency Manager 24-hours a day to make the proper local notification. The County Emergency Managers will in turn assist in contacting the proper responding agencies for support. Emergency Coordinators may be contacted if the 911 emergency-number or other emergency-contact is unable to be made. Emergency notifications need to include:

- o The chemical name or identity of the substance involved in the release;
- o An indication of whether the substance is extremely hazardous;
- o An estimate of the quantity of any such substance released into the environment;
- o The time and duration of the release;
- o The medium or media into which the release occurred, e.g. air, soil, water;
- o Any known or anticipated acute or chronic health risks associated with the emergency, and where appropriate, advice regarding medical attention for exposed individuals;
- o Proper precautions, as a result of the release, including evacuation or sheltering in place; and,
- o Name(s) and telephone number(s) of person(s) to be contacted for further information.

Following are the numbers that should be used when making the initial verbal notification:

- o CEPR, 24-hour emergency number (785) 296-8013
- o Local Emergency Planning Committee (LEPC) or Local Emergency Coordinator/Manager; reference county program
- o National Response Center (800) 424-8802

Note, that if the release poses an immediate threat to life or the environment notification should not be delayed if all of the required information is not available. An initial (partial) notification should be made so that the LEPC and CEPR are prepared to provide guidance to support the incident if necessary. As soon as practical after an initial notification, all required information must be assembled and transmitted. Notification of a release includes ***ANY QUANTITY of a hazardous substance(s) that leaves the boundaries of a facility that could affect life and environment***, it is not limited to the entire quantity identified under reportable quantities of Sections 302 and 304.

AFTER ACTIONS REPORT:

In addition to the initial notification, SARA Title III, Section 304 (CFR 40 Section 355.40 (b)(3)(i)(ii)(iii)), requires that the owner or operator of a facility provide a written follow-up emergency notice as soon as practicable, within 7 working days, after the release has concluded. The follow-up notice(s) must:

- Update information included in the initial notification;
- Provide information on
 - ✓ Actions taken to respond to and contain the release;
 - ✓ Any known or anticipated acute or chronic health risks associated with the release;
 - ✓ Advice regarding medical attention necessary for exposed individuals

TRANSPORTATION-RELATED RELEASE NOTIFICATIONS:

A transportation-related release is defined as a release during transportation, or storage incident to transportation if the stored substance is moving under active shipping papers and has not reached the receiving party. When a transportation-related release occurs notification is initiated by calling 911, or in the absence of a 911 emergency telephone number, to the operator. All emergency notification requirements are the same as previously identified in this document.

“FORM A” NOTIFICATION FORM

Kansas has developed a spill notification document called a “Form A”; this document is for hazardous materials incidents, accidental releases and continuous release notifications. It is recommended that industry, Emergency Managers and first responders maintain a copy of the “Form A” for reporting hazardous material release incidents, orphan drums (drums or containers of chemicals dumped at the side of the road), unknown spills, citizen complaints, etc. “Form A’s” may be faxed into the Kansas Emergency Management (785) 274-1426 and the County Emergency Manager. Again note that the initial notification of a hazardous substance release must be made verbally via telephone, radio or in person. A copy of the “Form A” is attached to this guidance document, additional copies of the “Form A” are available upon request or via the KDEM web page: www.ink.org/public/kdem/tech.htm. The “Form A” is a support document to the initial verbal notification. In addition, as of January 2002, it may be updated and used as the written after action report for an incident, **ONLY IF** it is updated after the incident has concluded with all the information listed in the “After Actions Report Section”. Note that the information pertaining

to advice regarding medical attention necessary for exposed individuals must be attached separately to the “Form A”.

EPA LIST-OF-LIST

The Environmental Protection Agency (EPA) has created a “Consolidated Chemical List” otherwise known as the “List-of-List”. A recommendation from KDEM is for each County Emergency Manager and facility owner, operator or representative, to maintain copy of this document as a reference source. This document will help in the planning and responding to the hazardous materials in your community. A copy of this document can be obtained by requesting it through EPA or electronically from their web page: <http://www.epa.gov/ceppo/pubs/title3.pdf>. The “List-of-List” is on EPA’s web page in two fashions, ADOBE Acrobat and in a searchable format.

What Does EPCRA Cover?

EPCRA has four major provisions:

- o Emergency Planning (Section 301-302)
- o Emergency release notification (Section 304)
- o Hazardous chemical storage reporting requirements (Section 311-312)
- o Toxic chemicals release inventory (Section (313)

Information gleaned from these four requirements will help States and communities develop a broad perspective of chemical hazards for the entire community as well as for individual facilities. Regulations implementing EPCRA are codified in Title 40 of the Code of Federal Regulations, part 350 to 372. The chemicals covered by each of the sections are different, as are the quantities that trigger reporting. Table 1 in this chapter summarizes the chemicals and thresholds.

What Are Emergency Response Plans? (Section 301-303)

Emergency Response plans contain information that community officials can use at the time of a chemical accident. Community emergency response plans for chemical accidents were developed under section 303.

The plans must:

- o Identify facilities and transportation routes of extremely hazardous substances
- o Describe emergency response procedures, on and off site
- o Designate a community coordinator and facility coordinator(s) to implement the plan
- o Outline emergency notification procedures
- o Describe how to determine the probable affected area and population by releases
- o Describe local emergency equipment and facilities and the person responsible for them
- o Outline evacuation plans
- o Provide a training program for emergency responders (including schedules)
- o Provide methods and schedules for exercising emergency response plans

Planning activities of LEPC's and facilities initially focused on, but were not limited to, the 356 extremely hazardous substances listed by EPA. The list includes the threshold planning quantities (minimum limits) for each substance. Any facility that has any of the listed chemicals at or above the threshold planning quantity must notify the SERC (CEPR in Kansas) and

LEPC within 60 days after they first receive a shipment or produce the substance on site.

EPCRA Chemical Reporting Table

	Section 302	Section 304	Section 311/312	Section 313
Chemicals Covered	356 Extremely hazardous substances	>1000 Substances	500,000 Products	650 Toxic chemicals and categories
Thresholds	Threshold Planning Quantity 1-10,000 pounds on site at any one time	Reportable quantity, 1-5,000 pounds, released in a 24-hour period	TPQ or 500 pounds for Section 302 chemicals; 10,000 pounds on site at any one time for other chemicals	25,000 pounds per year manufactured or processed; 10,000 pounds a year used; certain persistent bioaccumulative toxics have lower thresholds
Reporting Schedule	One time notification to SERC	Each time a release is above a reportable quantity occurs; to LEPC and SERC	One time submission; update only for new chemicals or information; to SERC, LEPC, Fire Department	Annually, by March 1 to SERC, LEPC and Fire Department

[Form A](#)

CHAPTER 11 Managing Emergency Operations A

Overview

The role for the Local Emergency manager is to take an overall strategic perspective. The implementation and direction of the overall strategy is a tactical concern and is the responsibility of the Emergency Operations Centers (EOC) staff (crisis management team). It is important not to get caught up in the tactical details of the event and lose strategic perspective and effective management.

Citizens expect their government to protect them, assist them, and inform them when a disaster threatens or occurs. Interaction with citizens and the media is imperative.

Emergency/Disaster General Sequence Checklist

- o Disaster occurs or threatens
- o Brief Board of County Commissioners (BOCC) on the situation. Discuss possibility of issuing disaster declaration
- o Notify Kansas Emergency Management 296-3176 of the emergency situation, and issuance of the local disaster declaration
- o Activate the EOC to the degree needed
- o Assess the need for immediate life saving measures, e.g., evacuation, shelter in-place, etc.
- o Establish liaison with affected jurisdictions
- o Joint briefing from local agencies on the situation and initial response activities
- o Request assistance from relief organizations
- o Evaluate resource requests from Incident Commander(s) to identify specific needs and types of assistance that cannot be furnished by local resources
- o Activate mutual aid agreements
- o Request State assistance through Kansas Emergency Management
- o Initiate Rapid Assessment, as necessary
- o Begin Rapid Assessment reports utilizing appropriate form

This checklist is not arranged in any particular order, nor is it intended to reflect particular sequence of events. Many items on the checklist may happen concurrently and the importance of each item will be determined by the disaster situation. The checklist is only meant as a tool to ensure that the basic operations actions are covered.

Stages of Emergency Operations and Outline of Emergency Response Actions:

The duration of each phase varies with situation due to the instability and dynamic nature of a crisis.

Stage 1: Rapid Assessment of the Situation

Incident discovery/rapid assessment. The focus is on identifying the source and magnitude of the problem, what needs to be done, when and how to protect people, property, and the environment, from further damage.

Notification. A comprehensive list of organizations, and their points of contact should be maintained as part of the EOC's Standard Operating Guide. Notification is intended to alert organizations within the response structure, the occurrence of a disaster, and status of the situation. The notification list should include:

- o Local government officials- to notify of the incident
- o Response agencies – to notify of the incident, request assistance, or place on stand-by status
- o EOC staff – to report to the facility, or place on stand-by status
- o Support organizations- to notify of the incident, request assistance, or place on stand-by status
- o Kansas Emergency Management- to notify of the incident, report rapid assessment findings, request State assistance, or place on stand-by status

The notification sequence will depend on established protocols, communication capabilities, the nature, severity and magnitude of the disaster.

- o Initiate documentation of the situation. Discuss procedures for issuing a local disaster declaration. Local officials should consider signing a local declaration when:
 - ✓ The magnitude of the event is likely to drain local resources
 - ✓ Existing mutual aid agreements have been activated
 - ✓ Need for State assistance is expected
 - ✓ Protective action guides-evacuation or in-place sheltering are likely to be implemented
 - ✓ Protection from liability for volunteers and responders is desirable
- o Warning- The EOC Standard Operating Guide should include detail procedures for activation of the Public information Function, to alert the public of the possible impact of the disaster. The timely determination of the need for issuing protective action guides- such as in place sheltering or evacuation is vital to the process of issuing warning statements to the general population.
 - ✓ First Responders
 - ✓ General public, with emphasis on special population facilities in the disaster area

Stage II: Local Response to the Incident

- o **Activation, staffing of EOC:**
 - ✓ Plan for shift changes. Make sure to include experienced staff on each shift.

- **Monitoring the situation:**
 - ✓ What emergency conditions exist? Imminent danger situations? What life support responses are needed?
 - ✓ Which jurisdictions are currently involved? Potential for others to be impacted? When?
 - ✓ Status of emergency responders and resources: what has or is being committed? Types and locations of backup resources, personnel, inventories. Availability? What steps would you need to take to activate mutual aid agreements?
- **Identify tasks and demands:**
 - ✓ Identify the types of response activities underway
 - ✓ Does the Incident Commander believe additional support may be required?
 - ✓ What additional coordination will need to be done?
 - ✓ Now?
 - ✓ When next 12, 24, 48, 72 hours etc.
 - ✓ Continuous emergency public information should include additional warning messages as the situation changes
 - ✓ Implementing protective action guides. Identify tasks to support evacuation or in-place sheltering activities.
- **Conducting Rapid assessment**
 - ✓ Activation of Rapid Assessments teams
 - ✓ Activation of an information system to manage the flow of disaster assessment reports from the affected area(s). This report may come from responders, businesses, residents, etc.
 - ✓ Ensure appropriate documentation be kept, Include photographs.

- ✓ Disaster assessment begins with the advent of the event and ends well after the immediate response is over
- o **Establish briefing schedule**
- o **Identify organizations and individuals who need to be kept informed of the situation. Which key official(s)? Which response organizations?**
- o **Activate emergency public information system:**
 - ✓ Emergency Alert System (EAS)
 - ✓ Use of media joint information center
 - ✓ Public Information Officer should be recognized as the single source of official information related to the disaster situation and response efforts
- o **Remember to:**
 - ✓ Keep a log
 - ✓ Document everything
 - ✓ Follow Standard Operating Guides or procedures
 - ✓ Identify special population needs quickly
 - ✓ Ensure all response agencies continue to monitor deployed resources
 - ✓ Ensure all response agencies are responsible for documenting the proper demobilization and return of resources
 - ✓ Deal with needs of the media
 - ✓ Keep elected officials informed
 - ✓ Keep the general public informed

State III: Mitigation Possibilities

Mitigation- Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. There are three things you can do to mitigate:

1. Identify hazards, and assesses the risks.
2. Encourage applied research that will develop technology in response to natural hazard risks.
3. Create public awareness and understanding of natural hazard risks that leads to public awareness and understanding of natural hazard risks that leads to public support for mitigation actions.

Mitigation planning should take place before disaster strikes, in order to prevent, avoid or reduce the impact of the disaster. During these times, take a moment to reflect on the disaster to determine how the consequences of the disaster might have been prevented, avoided, or reduced. Then, as you begin recovery, plan mitigation efforts around a well-thought out process to “mitigate” a repeat occurrence of the same type of disaster.

Stage IV: Restoration Process

- o Joint- local, State, and Federal- disaster assessments
- o Re-entry of the public
- o Physical clean-up
- o Evaluation process
- o Recovery Restoration
 - ✓ Individuals
 - ✓ Businesses
 - ✓ Public Facilities

EMAC at a glance

The Emergency Management Assistance Compact (EMAC) is a mutual aid agreement and partnership between states that exists because, from hurricanes to earthquakes and from wildfires to toxic waste spills, all states share a common enemy; the constant threat of disaster.

- o **EMAC allows states to assist one another during emergencies:** EMAC offers a quick and easy way for states to send personnel and equipment to help disaster relief efforts in other states. There are times when state and local resources are overwhelmed and federal assistance is inadequate or unavailable. Out-of-state aid through EMAC helps fill such shortfalls.
- o **EMAC establishes a firm legal foundation:** Requests for EMAC assistance are legally binding, contractual arrangements which makes states that ask for help responsible for reimbursing all out-of-state costs and liable for out-of-state personnel. States can rest assured that sending aid will not be a financial or legal burden for them.
- o **EMAC provides fast and flexible Assistance:** EMAC allows states to ask for whatever assistance they need for any emergency, from earthquakes to acts of terrorism. On the other hand, states are not forced to send any assistance unless they are able to. EMAC's simple procedures also mean states can dispense with bureaucratic wrangling. Thanks to EMAC, states are now joining forces and helping one another when they need it the most; whenever disaster threatens.

CHAPTER 12 Media Relations-Managing The Hype And Political Pressures

GUIDELINES FOR CRISIS INFORMATION MANAGEMENT

Emergency Management, in general, relies largely on information management functions. During times of crisis, however, that link is accentuated due to the public's need to know, the media's desire for accurate, reliable information. Establishing a good relationship with the local media organizations before a disaster strikes, is a key goal toward an effective emergency public information structure, the media can be a positive force and can assist with:

- Providing pre-disaster, emergency preparedness education
- Warning citizens of an impending or on-going emergency
- Providing information and advice to victims and others
- Activating emergency response
- Facilitating effective recovery activities
- Public information professionals must be a part of all crisis information plans, however, other staff must be able and willing to contribute to the process of information dissemination through briefings, preparation of fact sheets and news releases etc.
- The media are prime transmitters of emergency information. They play a critical role in setting agendas and in determining outcomes. The media are generally more interested in politics than risks, more interested in danger than in safety.
- Be open and accessible to reporters. Respect their deadlines. Provide information tailored to the needs of each type of media, such as graphics and other visual aids for television. Provide background material for the media on complex risk issues. Follow-up on their stories with praise or criticism, as warranted. Try to establish long-term relationships of trust with editors and reports.

○The media and general public must be able to access official information from a credible source. Confusion and conflict results from release of information from more than one location. Speak with one voice.

○Share with the media the Hazards Analysis and Vulnerability Assessments conducted in the jurisdiction. Let them know that you are aware of the possible threats, and have taken steps to coordinate the response to a disaster of that nature.

○Established and defined communications channels (both internal and external) must be activated for information to be disseminated to the media. Public information communications must be separate from operational communications.

○Official feedback channels should be established; i.e. public information staff should be able to monitor media reports and public perception of the event(s) and response activities.

○Internal information clearance (for release) should ensure the accuracy of information and its timely release.

○Public information staff should be able to authenticate or deny news stories per public queries without delay.

Dealing with the Media

DO'S AND DON'T'S FOR SPOKESPERSON

DO

- ✓ Ask who will be asking the questions
- ✓ Ask which topics they want to cover
- ✓ Caution them that you are not the right person to interview if there are topics you cannot discuss due to lack of knowledge, litigation, etc.
- ✓ Ask how long the interview will be and what the format will be

- ✓ Ask who else will be interviewed

DON'T

- ✓ Tell the news organization which reporter you prefer to work with
- ✓ Ask for specific questions in advance
- ✓ Insist that they promise not to ask about certain subjects
- ✓ Demand that your remarks not be edited
- ✓ Insist the reporters do not interview an adversary

Prior to Interview/News Conference

DO

- ✓ Obtain accurate information and be completely honest
- ✓ Decide what you want to say, and check to make sure you have the appropriate information

DON'T

- ✓ Try to fool the reporters and the public
- ✓ Believe you know it all
- ✓ Do not attempt to add humor to the message
- ✓ Do not make promises

During the Questions and Answer Session

DO

- ✓ Be honest and accurate. Your credibility depends on it

- ✓ Stick to you key points
- ✓ Lead, Take charge
- ✓ Raise your key messages
- ✓ Offer to find out information you don't have
- ✓ Explain the subject
- ✓ Avoid exaggeration and speculation
- ✓ Be aware of sensitive issues
- ✓ Stress the facts
- ✓ Explain the context
- ✓ Be forthcoming to the extent you've decided beforehand
- ✓ Give a reason if you can't talk about the subject
- ✓ State your points emphatically
- ✓ Correct big mistakes by stating that you did not give an adequate answer, and you would like a change to clear up the confusion
- ✓ Remember the media is interested in "What? When? Where? Who? How? And Why?"
- ✓ Stress any heroic efforts by individual responders
- ✓ Emphasize what is being done to address problems
- ✓ State your conclusions first to get your main point across, then back them up with the facts
- ✓ Try to be as open with the media as possible

- ✓ Do Stick to the facts. Answer the questions in a manner that will get your point across if the questions have deviated from the issue
- ✓ **DON'T**
- ✓ Don't lie
- ✓ Don't improvise
- ✓ Don't react passively, but don't be overly aggressive or rude
- ✓ Don't dwell on negative allegations
- ✓ Don't guess because if you are wrong your credibility will be shot
- ✓ Don't use jargon. Using technical terms (such as military or police idioms) confuses the public or leads them to think you are hiding something
- ✓ Don't risk actions that may be found offensive at this time
- ✓ Don't Ethnic labels, and other inappropriate terms or disparaging characterizations of groups of individuals involved in the disaster may result in negative perception of the message you intend to deliver
- ✓ Don't discuss hypothetical questions
- ✓ Don't assume the facts speak for themselves
- ✓ Don't decide to reveal something that is confidential without considering its implications
- ✓ Don't dismiss a question with "No comment."
- ✓ Don't ask reporters for their opinions
- ✓ Don't demand that a botched answer not be used
- ✓ Don't be afraid to say that you don't have the answers to each of those questions at the present time

- ✓ Don't stress any individual errors or negligence
- ✓ Don't estimate monetary damages insurance coverage, etc
- ✓ Don't let your message get lost in the details
- ✓ Don't give one reporter exclusive information

After the Question and Answer Session

DO

- ✓ Remember, what you say is on the record
- ✓ Remember, it's all on the record
- ✓ Be careful around microphones and tape recorders
- ✓ Correct any mistakes you made in the Questions and Answer Session
- ✓ Volunteer to get additional information reporters needed
- ✓ Tell reporters to telephone if they have any questions about something you said
- ✓ Volunteer to be available if a reporter wants to go over something with you
- ✓ Call reporters in stories appear that are inaccurate, politely point out what is wrong

DON'T

- ✓ Don't assume interviews/conference is over
- ✓ Don't insist that some comment will now be out "off the record."
- ✓ Don't assume that a microphone is ever off

- ✓ Don't let sleeping dogs lie
- ✓ Don't ask, "How did I do?"
- ✓ Don't ask a reporter to show you a copy of the story in advance of publication or broadcast so you can correct it
- ✓ Don't call the reporter's boss to complain without first speaking to the reporter

Five Most Frequent Interview "Failures"

1. **Failure to take charge.** The spokesperson must be a leader. His/her role is not just to answer questions, but also to disseminate information.
2. **Failure to anticipate questions.** Don't just concentrate on assembling the factual details. Prepare for obvious questions. Remember, the public wants to know "Is it safe?"
3. **Failure to develop key message.** This is your opportunity to communicate with the public. Make sure you can take advantage of it by having your organization's message prepared and ready for use.
4. **Failure to stick to the facts.** Speculating or answering hypothetical questions can get you into trouble. Avoid "what if" questions by confining your answers to what is known.
5. **Failure to keep calm.** By not letting questions get under your skin, you will show a willingness to cooperate with courteous journalists, and convey an impression of candor. Keep cool.

Preparing for the Interview

1. **Learn who your audience is,** what issues they are concerned about. When the journalist or reporter calls to schedule the interview there are several items you should discuss:
 - ✓ Ask them how much they know about the issues. Take this opportunity to give them a brief background, or if they don't

have the time, offer to send them some written materials, if the reporter does not have time to discuss the issues or background, you should take the opportunity to inform them, and their audience, during the interview.

- ✓ Learn from the reporter what issues their audience is most concerned about. Often this will give you insight into what issues you need to be prepared to deal with. If the reporter does not give any guidance, take the opportunity to suggest areas that you will cover in the interview. If the reporter has little knowledge on the topic they will welcome your input.
- ✓ Learn how much time you will have to explain the position of your county and your agency. Use that information in preparing for the interview.

2. **Decide what it is you want to convey and how much time you'll have to do it.** Think through the logical explanation about the agency, jurisdiction, how the current position was arrived at, and the actions taken to deal with the situation both now and in the future. Be prepared to answer criticism that the agency should have known of the hazards earlier, or taken action more quickly. At the same time, be prepared to respond to criticism that the county, or agency are overreacting to the situation. You must present a reasonable approach to dealing with the disaster/hazard, based on factual, credible information.
3. **Learn what others are saying about the risk so that you can defend the actions of your agency's position.** If presented with the statements about the environmental impact, be prepared to reconcile those statements with the local response, and your agency's actions.
4. **In dealing with disasters involving technological hazards, be familiar with the various exposure routes that could lead to risk, and those that would not.** If you do not have the information requested, do not hesitate to offer to find it, or to refer the question to the appropriate organizations (industry, local or state government agency).

- 5. Prepare yourself to represent your agency or county, regardless of your own position.** Your audience will assume that you are the spokesperson. Any concern you may have should be discussed internally.

Tips on Dealing with the Media:

Some general assumptions can be made when dealing with the media:

- o Environmental risk is not a big story
- o Politics is more newsworthy than science
- o Reporters cover viewpoints, not facts
- o Reporters try to personalize the story
- o Claims of risk are usually more newsworthy than claims of safety
- o Reporters do their jobs with limited expertise and time

Non-Verbal Communication

When trust is low and concerns are high, non-verbal communication:

- o Provides up to 50-75% of the message content
- o Is intensely noticed
- o Is often interpreted negatively
- o Overrides verbal communication

Television

- o Television is said to be an emotional medium. Use the opportunity. Remember, you are the expert, and “news people, are people.” Talk to them.
 - ✓ Viewers will often forget that content of your message but remember your style-how you looked, how you behaved, and the quality of your voice.
 - ✓ Check your appearance, and then forget it. Concentrate on the question asked.
 - ✓ The way you are perceived on television is frequently quite different from the way you are accepted in person.

- ✓ Look straight ahead. Concentrate on the questions being asked. Be aware of any bad information built into the questions. If it's incorrect, correct it!
- ✓ Answer the questions in as brief a way as possible without being short, reticent or non communicative. Don't be glib or attempt to add a light touch.
- ✓ Your attitude should be open, friendly and helpful. Use "people talk." Don't attempt to change your voice or sound differently.
- ✓ Start any emergency statement with a direct-calmly expressed sentence about what is happening or expected to happen. Immediately follow with a description of what authorities have done in response.
- ✓ If you cannot control your anger or keep your voice in check during times of stress, have someone else act as spokesperson for most of the media presentation. Remain available for answering questions that the spokesperson cannot.
- ✓ Don't talk down to the public; they'll know it and resent it.

Newspaper and Radio

- ✓ Be candid, be honest- if you give a reporter any reason to be suspicious of your integrity, he/she will find a way to trip you up.
- ✓ Reporters may take your words out of context. Remind him/her that you want accuracy and fairness more than you want attention.
- ✓ Be prepared. Be ready to provide expert opinion to a non-expert and provide in the easiest possible way for him/her to understand it.

- ✓ Think of the public's interest in your story- that's usually the way a reporter looks at it.
- ✓ Don't risk off-the-record comments. The reporter's ground rules may not be the same as yours.
- ✓ Whatever you think is the most important is what you should say first, put people issues first. That's what is mostly likely to be quoted.
- ✓ Keep calm- don't lose your cool. If you lose your temper, that will be the story, not the substance of what you said.
- ✓ If a question offends you or distorts the subject, ask the reporter to reword it, or reword it yourself.
- ✓ Be prepared to deal with reporters individually rather than in groups. You'll be better able to control the substance of what you say. But, be prepared to conduct mass conferences, if the incident warrants.
- ✓ Establish fair and uniform rules. These will be followed if enforced. Reporters can wait for an aspect of the story as long as no one is getting it ahead of them.
- ✓ Establish good access for your media spokesperson and insure that he/she remains fully informed so that he/she has credibility.

Telephone Interviews

- ✓ When a reporter calls, assume he/she wants information that will be published or recorded and broadcast. Always assume you are "on the record." Be aware that phone interviews are most likely recorded from start to finish.
- ✓ Establish whom you are talking to
- ✓ Establish what the information is for

- ✓ What are deadlines the reporter has to meet?
- ✓ Check reporter's knowledge...Listen! Then...fill in the background, answer the questions, or find out and call back.
- ✓ If the questions are asked in such a way that they are deviating from the issue, respond, making sure you get your point across
- ✓ Put people issues first
- ✓ If you can't answer, explain why. If possible, get someone who can help
- ✓ Always keep callback promises, provide references and/or research the material.

CHAPTER 13 Disaster Declarations

Local authorities are the first line of response in disaster/emergency situations. State Statute charges them with taking immediate steps to warn and evacuate citizens, alleviate suffering, and protect life and property. In addition, local authorities are responsible for conducting a rapid disaster assessment and notifying KDEM.

A good rule of thumb to follow is to declare a state of local emergency in any situation that may have a significant impact socially or economically on citizens within your jurisdiction when these situations threaten to exhaust or overwhelm local resources. Provisions for declaration should be covered in the Local Emergency Operations Plan (LEOP).

Some other issues for local officials to take into consideration for making a declaration include;

- o Increased liability coverage
- o Additional powers under the State Disaster Emergency Management Act
- o State and Federal assistance, which would otherwise be unavailable without a local declaration
- o Additionally, any protective action that may require the evacuation of residents with special needs, such as;
 - o Day care/school age children
 - o Elderly residents
 - o People with mobility problems
 - o Hospitalized or institutionalized populations

Should be considered as a reason for a local disaster declaration. An important resource for legal consideration is the County Attorney or Counselor.

KDEM can be contacted through its emergency phone line at (785) 296-3176, 24-hours a day. A Duty Officer will return your call after you leave a message in the voice mail system. It is very important that you leave your name, jurisdiction, phone number, and the reason you are calling.

Autonomy of Native American Tribes

If your jurisdiction includes Native American Tribes and their territories, you should remember that, when affected by a disaster, the Tribes have the right to choose whether they will work with the State or Federal government themselves, or through the county government. LEOP should address any existing agreement between your county and government. Your LEOP should address any existing agreements between your county and the Native American Tribes within your geographical jurisdiction.

Documenting the Incident

Rapid assessment reports often determine the potential impact, including damages from an incident. Your LEOP should contain rapid assessment forms, which can be filled out quickly by your teams and reported to the State. It is essential that local and State governments coordinate their efforts from the earliest possible point, as the frequency and detail of the reports needed may vary according to the situation.

STATE DISASTER DECLARATION

State assistance is available to local jurisdictions without a State Disaster Declaration. If your county has area offices of the Kansas Department of Transportation (KDOT), Social and Rehabilitation (SRS),

Kansas Department of Wildlife and Parks (KWP), etc... you may be able to get some limited assistance directly from these agencies. It is up to the local Emergency Manager to contact these offices for any necessary preliminary agreements, it is up to the benefit of the Emergency Manager that a rapport be established with these agencies and to include them in the local emergency management team.

Upon the advice of KDEM, the Governor may proclaim a State of Disaster Emergency. The justification for a proclamation is based on the information provided in the local rapid assessment to KDEM by local officials as well as the apparent need to protect the lives and property of the citizens of Kansas.

When the Governor issues a State disaster declaration, all State resources become available to assist local jurisdictions. A State declaration provides the Governor with emergency powers necessary to deal with a disaster for a period of 15 days with a 30-day extension period if necessary.

Based on information from the local state disaster assessment, the Governor may request the Federal Emergency Management Agency (FEMA) Region VII conduct joint Preliminary Damage Assessments (PDA's). Depending on the scope of the disaster, two different sets of damage assessment teams comprised of local, State, and Federal representatives may be established. One set of teams assesses the damage to individual's homes and businesses and the other team focuses on damage to public facilities. Information collected through the PDA's will affect the possibility of a request for a Federal Disaster Declaration.

It is important for the local Emergency Manager to include a listing of individuals familiar with the jurisdiction as part of the local emergency management team. These individuals should be included in the emergency

management-training program as part of the local disaster assessment team. For further information on courses as well as other minimum qualifications required, see the Disaster Assessment section.

Some specific Federal assistance may be available to the State of Kansas without a Presidential Disaster Declaration. Typically, the agencies are either the U.S. Small Business Administration (SBA) or the U.S. Department of Agriculture. For this reason, it is vital that Emergency managers keep KDEM apprised of the situation as it develops.

Federal Disaster Declaration

If the Governor decides that the recovery effort is beyond the capabilities of local and State government, he/she may submit a request for a Presidential declaration through FEMA Region VII.

If the President declares a disaster, Federal assistance becomes available to affected communities through the Disaster Mitigation Act of 2000.

FEMA implements the provisions of this act. Local officials remain in charge of their jurisdiction. Emergency Managers will be required to provide assistance to State and Federal representatives deployed to their community.

If a Presidential Disaster Declaration is not issued, or Federal assistance is denied, the cost of response, recovery and mitigation efforts is borne by the citizens and entities of the affected jurisdiction.

[Rapid Assessment Form](#)

[Rapid Disaster Assessment Survey](#)

[Guidelines for Determining Damage Levels](#)

CHAPTER 14 The Federal Emergency Management Agency

President Carter through Executive Orders 12127, on March 31, 1979, and 12148, July 20, 1979, created the Federal Emergency Management Agency (FEMA). FEMA was created in response to an increasing need for federal response to disaster mitigation, preparedness, response, and recovery.

FEMA organizationally is divided into ten regional areas, depicted on the map accompanying this section. Kansas is in FEMA region VII, with the regional office located in Kansas City, Missouri.

FEMA Region VII organizationally is made up four divisions;

- ✧ **Readiness, Response and Recovery**
- ✧ **Mitigation**
- ✧ **Office of the Regional Director**
- ✧ **Operations Support**

The Federal Emergency Management Agency (FEMA) is the central point of contact within the Federal Government for coordination of a wide range of emergency management activities. One of its roles is to act as a partner to State and local governments in achieving a realistic state of preparedness and an increased capability to respond to all types of emergencies.

These efforts are supported in part through the Emergency Management Institute (EMI) located on the campus of the National

Emergency Training Center (NETC) in Emmitsburg, Maryland. However, a majority of emergency management training is conducted by State Emergency Management Agencies. EMI supports this training through an Emergency performance (EMPG) with the states that offer not only financial and technical assistance, but provide a variety of instructional materials at no cost.



Summary of Federal Disaster Assistance Programs
ASSISTANCE UNDER A FEDERAL DECLARATION OF
“EMERGENCY”

“Emergency” assistance is limited in scope. It is specialized assistance to meet a specific need and is generally limited to those actions, which may be required to save lives and protect property, public health, and safety, to lessen the threat of a more severe disaster.

Examples of emergency assistance are:

- o Emergency mass care, such as emergency shelter, emergency provision of food, water, medicine, and emergency medical care
- o Clearance of debris to save lives and protect property and public health and safety
- o Emergency protective measures, including:
 - ✓ *Search and rescue*
 - ✓ *Demolition of unsafe structures*
 - ✓ *Warning of further risks and hazards*
 - ✓ *Public information on health and safety measures*
 - ✓ *Other actions necessary to remove or to reduce immediate threats to public health and safety*
 - ✓ *To public property*
 - ✓ *Or to private property when in the public interest*
- o Emergency communications
- o Emergency transportation
- o Emergency repairs to essential utilities and facilities

Two Types of Federal Assistance:

1. *Assistance under a declaration of “EMERGENCY” provides specific and limited emergency and disaster assistance.*
2. *Assistance under a declaration of “MAJOR DISASTER” provides a wide range of assistance to individuals and/or to local and State government sand certain non0orofit organizations.*

ASSISTANCE UNDER A FEDERAL DECLARATION OF MAJOR DISASTER

As soon as possible following a President’s declaration of an emergency or a major disaster, FEMA personnel conduct briefings for State and local official to inform them of the types of assistance available under the declaration and the means by which funds are provided for eligible disaster assistance projects.

Note: Declaration can specifically authorize individual assistance only, public assistance only, and all hazard mitigation types of assistance.

Individual Assistance Programs

FEMA and other federal, state, local and volunteer agencies offer disaster assistance in several forms:

Low-Interest Loans. Most, but not all, federal assistance is in the form of low interest loans to cover expenses not covered by state or local programs, or private insurance. People who do not qualify for loans may be able too apply for a cash grant.

The Farm Service Agency FSA) and Small Business Administration (SBA), offer low interest loans to eligible individuals, farmers and businesses to repair or replace damaged property and personal belonging not covered by insurance.

Cash Grants for up to \$14,900 adjusted annually for inflation. Individuals who do not qualify for a loan from SBA may be eligible for these grants from the State to help recover unmet necessary expenses and serious needs. These unmet necessary expenses and serious needs include medical, dental, and funeral expenses that are incurred as a result of the disaster. Home inspections are normally conducted before a check is issued. FEMA funds 75% of the grant program's eligible costs with the remaining 25% covered by the state. The KDEM administers the program, known as the **Individual And Family Grant (IFG) Program**.

Housing Assistance, FEMA's Disaster Program (DHA) makes funds and services available to individuals whose homes are unlivable because of a disaster.

Veterans Benefits. The Department of Veterans' Affairs provides death benefits, pensions, insurance settlements and adjustments to home mortgages for veterans.

Tax Refunds. The Internal Revenue Services (IRS) allows certain casualty losses to be deducted on Federal income tax returns for the year of the loss or through an immediate amendment to the previous years return.

Unemployment Benefits. Disaster Unemployment assistance and unemployment insurance benefits may be available through the state unemployment office and supported by the U.S. Department of Labor.

Crisis Counseling. The purpose of the crisis-counseling program is to help relieve any grieving, stress, or mental health problems caused or aggravated by the disaster or its aftermath. These short-term services, provided by FEMA as supplemental funds granted to State and local mental health agencies, are only available to eligible survivors of Presidential-declared

major disasters. The Crisis Counseling program has not been or will not be met by other programs.

Free Legal Counseling. The Young Lawyers Division of the American Bar Association, through an agreement with FEMA, provides free legal advise for low-income individuals regarding cases that will not produce a fee (i.e., those cases where attorneys are paid part of the settlement which is warded by the court). Cases that may generate a fee are turned over to the local referral service.

Individuals, families and businesses may be eligible for federal assistance if they live, own a business, or work in a county declared a Major Disaster Area, incur sufficient property damage or loss, and, depending on the type of assistance, do not have the insurance or other resources to meet their needs.

Other programs can include:

- o **Low Interest Deferred Payment Loan Program** available to homeowners and rental property owners for repair or reconstruction of real property damaged or destroyed in a natural disaster. Applicants must first exhaust insurance or all other federal and state disaster assistance in order to qualify.
- o **Housing and Urban Development Program**, offered to low income applicants. Programs will pay a percentage of rental costs for a maximum of 18 months.
- o **Social Security Assistance**, help in expediting delivery of checks delayed by the disaster, and in applying for social security disability and survivors benefits.

- o **Emergency Individual and Family Needs**, emergency food, clothing, shelter, and medical assistance may be provided to individuals, family having such needs as a result of the disaster.
- o **Contractor's Licensing**, guidance in obtaining licensed contractors to assist homeowners in repair or restoration of damaged property.
- o **Insurance Information** advice to persons on insurance requirements, claims, and problems with settlement.
- o **Consumer Fraud Prevention**, a program to obtain consumer advice, and to report consumer fraud and price gouging.

Public Assistance Program

Intended to help repair or replace damaged/destroyed public property. After a Presidential Disaster Declaration, the State along with FEMA will work with local jurisdictions in determining the extent of damages, conduct “Applicant’s Briefings” to clarify public assistance requirements, procedures, and eligible projects. Following these briefings, project officers prepare the application project worksheets to document disaster damage and provide FEMA with a recommended scope of work and estimated costs in accordance with FEMA eligibility criteria. A Project Application, accompanied by supporting project worksheets, is submitted by an eligible applicant through the State to the FEMA Regional Director for approval. The federal government will provide a minimum of 75% of the funding for the recovery work that FEMA rules as eligible.

Project Applications may be approved for:

- o Clearance of debris on public lands or waters
- o Emergency protective measures for the preservation of life and property

- o Repair or replacement of roads, streets, and bridges
- o Repair or replace of water control facilities (dikes, levees, irrigation works, and drainage facilities)
- o Repair or replacement of public utilities
- o Repaid or restoration (to pre-disaster condition) of public facilities damaged while under construction
- o Repair or replacement of private non profit educational, utility, emergency, medical, and custodial care facilities, including those for the aged or disabled, and facilities on Indian reservations (or other similar activities in which there is a federal interest)
- o Hazard Mitigation Grant Program Federal government may contribute up to 75% of the cost of hazard mitigation measures which the President has determined are cost-effective and which substantially reduce the risk of future damage, hardship, loss, or suffering in any area affected by major disaster. (Stafford Act, Sec.404)

Other Forms of Assistance, which may be made available under a Presidential Declaration of, a major disaster includes:

- o Use of the Federal equipment, supplies, facilities, personnel, and other resources (other than the extension of credit) from various Federal agencies
- o Community disaster loans, payment of school operating expenses, repairs to Federal-aid system roads, repairs to projects

Federal requirements tied to financial assistance

- o The Disaster Relief Act of 1974 requires that an applicant, for assistance for the repair or restoration of damaged public or private non-profit facilities, shall purchase and maintain such insurance as may be reasonably available, adequate and necessary to protect such facilities against future loss.

- o In addition, the applicant must comply with appropriate hazard mitigation, environmental protection, flood plain management and flood insurance regulations as a condition for receiving federal disaster assistance.

Federal Disaster Assistance Without a Presidential Declaration:

Federal and voluntary agencies may be able to provide disaster assistance under their own statutory authorities without a Presidential Declaration. Military installations located in or near the disaster are may provide immediate lifesaving assistance such assistance can include:

- o **Search and Rescue.** The United States Coast Guard or United States Armed Forces may assist in search and rescue operations; evacuate disaster victims, and transport supplies and equipment.
- o **Flood Protection.** The United States Army Corps of Engineers has the authority to assist in flood fighting and rescue operations and to protect, repair, and restore certain flood-control works that are threatened, damaged, or destroyed by a flood. They also have authority to assist States for a 10-day period subject to specific criteria.
- o **Fire Management Assistance,** The Stafford Act authorized the President to provide assistance, including grants, equipment, supplies, and personnel to a state for the suppression of a forest or grassland fire on public or private lands that threaten to become a major disaster.
- o **Health and Welfare,** The department of Health and Human Services may provide assistance to State and local welfare agencies and to State vocational rehabilitation agencies. The Public Health Service

- can aid states and local communities in emergency health and sanitation measures. The Food and Drug Administration may work with State and local governments in establishing public health controls through the decontamination or condemnation of contaminated food and drugs.
- o **Emergency Conservation Program**, the Farm Service Agency (FSA), United States Department of Agriculture, may provide cost sharing grants to rehabilitate designated farmlands damaged by a natural disaster.
 - o **Emergency Loans for Agriculture**, The Farm Service Agency may make emergency loans to eligible farmers, ranchers, and aquaculturists.
 - o **Disaster Loans for Homeowners and Business**, The Small Business Administration (SBA) can provide both direct and bank participation disaster loans to qualified homeowners and businesses to repair or replace damaged or destroyed private property. Qualified small businesses suffering economic losses may receive economic injury loans.
 - o **Repairs to Federal Aid System Roads**, The Federal Highway Administration of the Department of Transportation can provide assistance to restore roads and bridges on the Federal Aid System.
 - o **Tax Refunds**, The Internal Revenue Service can assist individuals in applying for casualty losses resulting from natural disasters.
 - o **Voluntary Agency Assistance**, Private relief organizations (e.g. American Red Cross, The Salvation Army, the Mennonite Disaster Service, other charitable organizations, and church groups) provide grants and other types of assistance to individuals and families to

include: distribution of food, medicines, supplies, emergency shelter, restoration of community services.

- o **Department of Defense Pre-Declaration Emergency Assistance,**
The Stafford Act authorizes the President to utilize personnel and equipment of the Department of Defense to remove debris or provide temporary restoration of essential public facilities and services in the aftermath of an incident, which may ultimately qualify, for a major disaster or emergency. The work must be deemed essential for the preservation of life and property and may only be carried out for a period not to exceed 10 days.

RESOLUTION #_____ AND PROCLAMATION

PROCLAMATION of State of Local Disaster Emergency for _____County, Kansas:

WHEREAS on the _____day of _____, _____ the Board of Commissioners of _____ County, Kansas finds that certain conditions have caused, or eminently threaten to cause widespread of severe damage, injury or loss of life or property in disaster proportion in _____County, Kansas:

WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of _____County, Kansas.

Now, therefore, be it resolved by the Board of Commissioners of _____County, Kansas:

That the Board of County Commissioners of _____County, Kansas, under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED the area within the border of _____County, Kansas covered by this proclamation/resolution is the entire area of _____ County, Kansas.

BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless termination earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF _____COUNTY COMMISSIONERS
THIS _____DAY OF _____, _____.

_____, COUNTY COMMISSION

_____, CHAIRMAN

_____, MEMBER

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CHAPTER 15 VOLUNTARY ORGANIZATIONS

Voluntary organizations in Kansas provide assistance to disaster survivors by offering clothing, shelter, food, counseling, building, demolition, and other assistance immediate and long-term goods and services necessary to enable persons affected by the disaster to regain a sense of normalcy.

These organizations work closely with each other and various response agencies. As an Emergency Manager, it is vital that you become familiar with the various organizations and the services they provide.

ADVENTIST COMMUNITY SERVICES

Five community centers located in Great Bend, Hutchinson, Kansas City, Pittsburgh, and Wichita where clothing, food, and other limited assistance is available free of charge to the community. In addition these centers act as referral agencies to place clients into contact with other agencies who can provide additional assistance. In times of disasters, Adventist Community Services is on location to assist in distributing clothing, food, and other help in cooperation with other agencies. All services provided are at no cost.

AMERICAN RADIO RELAY LEAGUE (ARRL)

There are 450,000 amateur radio operations in the United States. Most local clubs are affiliated with the Amateur Radio League. They provide services in Disaster Preparedness, Emergency Communications, and Public Service Communications Relays are made by radio contact. The cycle goes daily. During a disaster communications are provided 24-hours a day. Chain of command is local emergency operations center.

AMERICAN RED CROSS

The disaster program includes:

- o Damage assessment
- o Emergency shelter
- o Registration and Tracking of Disaster Victims
- o Communications
- o First aid stations
- o Distribution of emergency supplies
- o Stationary and mobile facilities for feeding victims and emergency workers
- o Supplementary medical and nursing care
- o Blood and blood products
- o Welfare inquires
- o Information services
- o Emergency financial assistance for food, clothing, rent, bedding, selected furnishings, transportation, medical needs, temporary home repairs, occupational supplies, and other essentials on an individual basis
- o Referral service to government and private agencies
- o Casework services to provide additional recovery assistance to families where government programs and other resources are not adequate to meet disaster-caused needs.

Resources include but are not limited to:

- o Mobile canteens, communications (through amateur radio, and low band)
- o Shelter supplies (cots and blankets)
- o Comfort kits (toilet articles)
- o And clean-up kits.

CATHOLIC COMMUNITY SERVICES, INC.

Assist the local parish churches within a 21 county boundary of Eastern Kansas including Kansas City, Lawrence, Olathe, Leavenworth, Topeka, and Emporia, to cooperate in times of emergency with other religious partners.

Individual parish churches are encouraged to respond in the event of a local disaster. Catholic Charities works ecumenically with other churches to provide follow-up counseling, and seek to provide volunteers for existing disaster relief. Provide assistance (limited from regular funding sources) with food, rent and utilities. Parish churches can provide halls, meeting rooms and gymnasiums with shower facilities for disaster victims. Standard day-to-day Emergency Assistance locations are provided in Kansas City, Merriam, Olathe, Leavenworth, Lawrence, and Topeka.

CHURCH WORLD SERVICE

In the 1993 Midwest Floods 400 blankets and 350 health kits were provided in the Salvation Army for distribution in Manhattan, Junction City, and other locations. Assisted with response capabilities of ecumenical

organizations. Provided initial grants of \$5,000 to churches and Interfaith Organizations throughout the affected areas. CWS operated an information update hotline for their activities.

KANSAS DEPARTMENT OF CIVIL AIR PATROL

Civil Air patrol (KDCAP) provides emergency services in three main areas;

1. Search and Rescue
2. Disaster Relief
3. Civil Defense

CAP personnel and equipment may not be used in conjunction with law enforcement other than in a passive role (i.e. no manhunts or aerial surveillance of criminal activity).

CAP personnel and equipment can be used to locate almost any search objective, Using light aircraft for large areas and hard to reach areas. Combined with ground teams in off road vehicles and with trained medical personnel on board to assist in rescue once the objective is located.

CAP personnel and equipment may be utilized in any role necessary during disaster relief operations including:

- o Aerial Survey and Assessment
- o Airlift of personnel and equipment to disaster site
- o Ground survey and damage assessment

- o Site control
- o Clean up efforts
- o Emergency communications link, etc.

CAP has trained Radiological Monitors and can perform both ground and aerial monitoring. CAP personnel are trained in procedures for decontamination of personnel and equipment. All CAP members are currently being trained to the awareness level of hazardous material incident response.

COOPERATIVE DISASTER CHILD CARE PROGRAM

Offers child care at the FEMA/State DAC locations

HARVESTERS

During the 1993 Midwest Floods 1.2 million pounds of food items were donated for the Kansas/Missouri disaster relief operation. Other donated items were stored in warehouses until an agency was identified that could use them.

KANSAS ECUMENICAL MINISTRIES

Coordinates joint work among Kansas's churches. After the 1993 Midwest Floods, the ministries provided leadership in the formation of a statewide unmet needs committee under the name of Kansas Interfaith Disaster Response (KIDR) that met regularly to address the unmet needs of people living in Kansas affected by the flooding. Provided assistance through grants and vouchers. Commitment to long-term recovery, serving unmet needs serves as a center of collaboration for resource materials, volunteers, and supportive services initiated by the faith community.

KANSAS SEARCH AND RESCUE DOG ASSOCIATION

General Information

Since 1992 the Kansas Search and Rescue Dog Association has been providing trained Search and Rescue (SAR) resources throughout the State of Kansas. Listed resource with Kansas Emergency Management and can be called-out through this agency or at the numbers listed at the end of this section. This team can provide trained K-9 Handlers, Foot-Searchers, and Search Managers 24 hours a day, 7 days a week. All services are provided FREE-OF-CHARGE to requesting Law Enforcement or other Response agency. Our team does not self-deploy for any reason, we only respond at the request of (or with permission from) the agency in charge.

Dave Meek and “Thunder” founded the Kansas Search & Rescue Dog Association in 1992. It became operational with 5 wilderness-trained teams in October of 1994. Currently there are 15 trained teams ready to respond throughout the State of Kansas and provide K-9’s trained in Wilderness Search, Water Search, Cadaver Search, and Disaster (Collapsed Structure) Search.

The organization is a member of the National Association for Search and Rescue (NASAR) and the training standards are on file with them. Two team members are SAR TECH Coordinators for NASAR and have completed the new Advanced Search and Rescue (ADSAR) course. The Founder is Nationally rated as SAR TECH I and members are required to pass the National SAR Tech II as a minimum training requirement. The teams K-9’s specialize in Air Scenting but trailing is also taught to many teams.

The team has assisted local law enforcement agencies, the KBI, and the FBI. All of our members are submitted to background checks and are trained in evidence handling and preservation.

Search and Rescue also provide self-contained medical support on scene. The team has published protocols and currently consists of 1-MD, 1-Physician Assistant, 2-RN's, 3-Paramedics, 2-EMTI's, EMT's, 2-First Responders, and all members have CPR and basic first-aid training.

The team provides self-contained communications using 2-meter Ham radios and is licensed to utilize the 155.160 Mhz SAR Frequency. All members hold FCC licenses of Technician + class or above.

The Kansas Search and Rescue Dog Association has responded to call-outs from many counties in the State of Kansas and provided mutual-aid to MO, OK, NE, and IA.

For more information about Kansas Search & Rescue contact:

Kansas Search and Rescue Dog Association

Joe Fehrenbacher, Director

3438 Hiram

Wichita, KS 67217

(316) 946-0114

ksarwichita@kscable.com

Or, in Topeka, KS contact:

Russell Pugh, Deputy Director Northern Region

15895 118th Road

Hoyt, KS 66440

(785) 986-6715

pughfarms@yahoo.com

Or

Dave Meek, Founder

(785) 286-3397

ksk9sar@inlandnet.net

KSU EXTENSION

KSU Extension provides education, information and referral to Kansas through its three-tier network. Extension educators are based in every Kansas County to provide education and information on issues of family life, human development and a wide variety of other areas. State Extension specialists develop educational programs for statewide use as well as cooperate with the national (and international) extension system based in all Land Grant Universities. In cases of disaster recovery and response, KSU Extension provides coordination for Crisis Counseling projects that address disaster related mental health needs, provides on-site analysis for affected farms and develops/ disseminates disaster-related information.

LUTHERAN DISASTER RESPONSE

When a major disaster occurs, our response may include:

- o Trained staff available to help congregations, groups, and agencies
- o Direct services
- o Case management
- o Grants to individuals and families in need
- o Farm family assistance (grant, seeds, information)
- o Rebuilding assistance (supplies, materials, volunteers)
- o Individual and family counsel
- o Education/workshops (loss, care, prevention, legislative, farm assistance, mitigation, economic recovery, land reclamation)
- o Assistance with unmet needs

- o Volunteer coordination
- o Facilities
- o Expertise and resources of trained consultants

Other resources available include: Staff assistance to people in need, national network, consultation and referral, grants up to \$500, volunteer recruitment, and a commitment to long term recovery as well as emergency and immediate response, Children's recovery resources and care, and Camp Noah for children affected by disaster.

MENNONITE DISASTER SERVICE

Mennonite Disaster Service is an All-volunteer organization. They respond to disasters with volunteers as calls for help are received. Services offered include:

- o Clean up after natural disasters and fires
- o Some repair work on damaged buildings
- o Assistance in rebuilding buildings, fences, etc.

Equipment provided includes:

- o Bus for on-site command center,
- o Radios for communication between work site and command centers
- o Chain saws
- o Pumps
- o High-pressure washers.

Geographical boundaries are within the state of Kansas but if a request comes from Regional or National Headquarters volunteers may be sent to other states or areas.

MO-KAN REGIONAL FOOD BANK-SECOND HARVEST

The characteristics of our plan are: **commitment, cooperation, compassion and reflection.** A statement of understanding has been developed between Second Harvest food banks and the American Red Cross that encourages both organizations to work together on disaster relief activities. Highlights of this statement are as follows:

- o Cooperation in communication to ensure a consistent, coordinated message to the media and public;
- o Referral by Red Cross of offers of food and essential non-food items to Second Harvest for allocation and distribution;
- o Supplying Red Cross mass care facilities with products and providing holding facilities as needed and as possible, by food banks;
- o Food Banks taking the lead in coordinating local, spontaneous, individual donations of food in community food drives and in coordinating the pick-up, sorting and storage of such food;
- o Reimbursement of expenses directly and indirectly incurred by Food Banks in disaster assistance activities by the Red Cross, rates negotiated at the time of each operation;
- o Assistance by the Red Cross for Food Banks in reaching rural areas.

SOCIETY OF ST. VINCENT DE PAUL

Southern Baptist Disaster Relief (SBDR) is a ministry of the churches of the Southern Baptist Convention (SBC) and a member of NVOAD. There are 37 State Baptist Conventions nationally that provide the equipment and volunteers for disaster relief. The disaster relief units are owned and often directly coordinated by the local state conventions or local associational (regional) units. In Kansas and Nebraska, the Kansas-Nebraska Convention

of Southern Baptist (KNCSB), located in Topeka, provides leadership and coordination for disaster.

The current Statement of Understanding between the North American Mission Board, SBC and the ARC governs disaster relief and coordination with the American Red Cross (ARC). This agreement is recognized nationally and locally by Southern Baptists. SBDR resources vary from state to state. The Kansas-Nebraska Convention of Southern Baptists maintains a mobile feeding unit for use in both states, or for use in other states. The KNCSB, more often than not, responds to disasters or emergencies in conjunction with the ARC, whether locally or nationally. SBDR disaster assistance may take other forms, depending on current SBDR available resources and the availability of volunteers. Resources and availability of volunteers can be determined by contacting the SBDR/KNCSB leadership at any time during an emergency or disaster. When requested by the ARC, and mutually agreed upon by the Southern Baptists and the ARC, SBDR resources outside of the KNCSB can be called upon.

There is no monetary charge or cost for services rendered to any victim of a disaster that is assisted by SBDR. All assistance is a gift of Christian love and ministry.

THE SALVATION ARMY KANSAS AND WESTERN MISSOURI
DIVISION:

Shelter	Atchison	Portable 4 KW generator
SERVICES IN HUMAN CARE OFFERED:		
Spiritual Ministry	Emporia	Communications utility truck
Clothing Depot	Ft. Scott	FM Communications
Transportation	Hays	154-540 (mobile and handheld radios)
Crisis Counseling	Hutchinson	FM mobile radios 464.5. 469.5
Health and Mental Needs	Independence, MO; Kansas City, KS & MO	Corps vans and buses
Casework Services	Olathe	20 Kansas Corps of Operations
Volunteers	Salina	
Emergency Disaster Service personnel	Topeka	
	Wichita	

THERE IS NO CHARGE FOR SERVICES OF THE SALVATION ARMY. SALVATION ARMY UNITS HAVE NO GEOGRAPHICAL LIMITS.

UNITED METHODIST CHURCH

The disaster response program of the Kansas Area United Methodist Church encompasses the following areas:

- Individuals available to respond to disasters. Activities include cleanup, immediately following the disaster, Volunteers to staff ARC program areas and repair/construction teams.
- Cadre of ministers and other individuals trained to give assistance where needed following a disaster.
- A cadre of individuals trained to work with children who have experienced a disaster. These individuals will provide compassionate and understanding care while parents prepare to return to more normal family living.
- Counselors will be prepared to help children deal with the trauma of a disaster.
- A program designed to encourage congregations to help each other in times of disaster. The program asks a congregation to be ready to provide services to individuals, their community or other helping agencies through the use of their facilities and/or their members and staff.
- Disaster funds are available to help mitigate human suffering and is used to fill the gap between what the disaster victim needs and what is available through other resources. The disaster may be a single-family incident of a larger disaster.

CHAPTER 16 Amateur Radio Emergency Communication

Before and after disaster/emergency situations, amateur radio operators set up and operate organized communication networks locally for governmental and emergency officials, as well as non-commercial communication for private citizens affected by the disaster. Amateur radio operators Hams are most likely to be active after disasters that damage regular lines of communications, i.e. power outages and destruction of telephone lines.

Organization

Amateur radio operators have informal and formal groups to coordinate communication during emergencies. At the local level, hams may participate in local emergency organizations or organize local “traffic nets” using VHF and UHF frequencies. At the State level, hams are often involved with state emergency management operations. In addition, hams operate at the national level through the Radio Amateur Civil Emergency (RACES), which is coordinated through the Federal Emergency Management Agency (FEMA), and through the Amateur Radio Emergency Service (ARES), which is coordinated through the American Radio Relay League (ARRL). In areas that are prone to tornadoes, many hams are involved in the SKYWARN Program, which operates under the direction of the National Weather Service in conjunction with local Emergency Managers.

Many hams are active as communication volunteers with local public safety organizations. In some disasters radio frequencies are not coordinated among relief officials. Amateur radio groups can step in to coordinate communication when radio towers and other elements in the communications infrastructure are damaged.

Many national organizations have formal agreements with the Amateur Radio Emergency Service (ARES) and other Amateur Radio groups including:

- ✓ FEMA
- ✓ National Communications System (NCS)
- ✓ American Red Cross
- ✓ Salvation Army
- ✓ National Weather Service
- ✓ Associated Public Safety Communications Officer (APCO)

CONTACT

The ARRL Education Activities Department (EAD) distributes a New Ham Package that is sent at no cost. The material describes Amateur Radio, popular ARRL study guides, and includes a list of local ham radio clubs, ham radio classes and volunteer examiners in the area. For more information visit ARRL [website at www.arrl.org](http://www.arrl.org).

RACES/ARES

RACES is a radio communication service, conducted by volunteer licensed amateur radio operators, for providing emergency communications support to State and local governments.

ARES is noncommercial radio communications by or among amateur radio stations solely with a personal aim and without business interests.

A RACES Officer is a General Class Amateur, or higher, thoroughly knowledgeable of FCC Rules and Regulations and familiar with the functions of ARRL and the Amateur Radio Emergency Services (ARES) of the ARRL. Individuals with strong organizational abilities, good verbal and written communication skills and experience in emergency center operations are ideal candidates.

Each prospective member completes a RACES Application and returns it to the RACES Officer. The RACES applications must not contain information that is protected under the Privacy Act. The RACES Officer recommends acceptance or non-acceptance to the Emergency Management Director. Once approval is granted, the Director prepares a letter designating the applicant as a certified RACES member. A photograph identification card for each RACES member is highly recommended. Refer to appendices for information on Licensing, and contacts.

APPENDIX

ARTICLE 9: EMERGENCY PREPAREDNESS FOR DISASTERS

48.901.

History: L. 1949, ch. 303, § 1; Repealed, L. 1951, ch. 323, § 18; April 5.

Reviser's Note:

Later act, see 48-916.

48.902.

History: L. 1951, ch. 323, § 1; Repealed, L. 1955, ch. 263, § 14; July 1.

Source or prior law:

48-601.

48.903.

History: L. 1951, ch. 323, § 2; L. 1955, ch. 263, §1; L. 1965, ch. 337, § 1; Repealed, L. 1975, ch. 283, § 32; April 11.

EMERGENCY MANAGEMENT

48.904. Definitions. As used in this act

(a) "Emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters;

(b) "Adjutant general" means the adjutant general of the state of Kansas;

(c) "Division of emergency management" means the division of emergency management created in the office of the adjutant general by K.S.A. 48-905, and amendments thereto;

(d) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion, riot or hostile military or paramilitary action;

(e) "Unorganized militia" means all able-bodied male and female persons between the ages of sixteen 16 and 50 years;

(f) "State disaster emergency plan" means the plan prepared and maintained by the division of emergency management pursuant to K.S.A. 48-926, and amendments thereto;

(g) "Local and interjurisdictional disaster emergency plans" means all disaster emergency plans developed and promulgated by county, city and interjurisdictional disaster agencies pursuant to K.S.A. 48-929, and amendments thereto;

(h) "Hazardous material" means any substance or material in a quantity or form which may be harmful or injurious to the health and safety of humans, animals, crops or property when released into the environment. Hazardous material includes, but is not limited to, explosives, radioactive materials, disease-causing agents, flammable liquids, solids or gases, combustible liquids, poisons, poisonous gases, oxidizing materials, corrosive materials, irritants, nonflammable gases, cryogenics and blasting agents.

History: L. 1951, ch. 323, § 3; L. 1955, ch. 263, § 2; L. 1975, ch. 283, § 1; L. 1980, ch. 158, § 1; L. 1994, ch. 248, § 2; July 1.

Cross References to Related Sections:

Interstate civil defense and disaster compact, see 48-3201 and 48-3202.

Attorney General's Opinions:

County and city disaster agencies; duties of local sheriff. 85-85.

Immunity from liability for persons controlling property used for shelter during actual or impending disasters. 93 - 101

48.905.

History: L. 1951, ch. 323, § 4; L. 1955, ch. 263, § 3; L. 1975, ch. 283, § 2; Repealed, L. 1994, ch. 248, § 37; July 1.

Source or prior law:

48-602.

48.905a. Division of emergency management, establishment. (a) The Division of emergency preparedness within the office of the adjutant general is hereby abolished and there is hereby established within the office of the adjutant general a division of emergency management. To the extent provided in this act, all of the powers, duties and functions of such division of emergency preparedness are hereby transferred to and conferred and imposed upon the division of emergency management. The adjutant general, who shall be the chief administrative officer thereof, under the supervision of the governor, thereof shall administer the division of emergency management and the powers, duties and functions.

(b) Whenever the division of emergency preparedness within the office of the adjutant general, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the division of emergency management.

(c) The division of emergency management shall be a continuation of the division of emergency preparedness within the office of the adjutant general as the same existed prior to the effective date of this act.

History: L. 1994, ch. 248, § 1, July 1.

48.906.

History: L. 1951, ch. 323, § 5; Repealed, L. 1955, ch. 263, § 14; July 1.

Source or prior law:

48-603.

48.907. Powers and duties of adjutant general. For the purposes of administering the division of emergency management and the powers, duties and functions thereof, the adjutant general shall have the following powers and duties:

- (a) To adopt, amend and repeal rules and regulations;
- (b) To cooperate with the advisory commission to the council of national defense through its division of state and local cooperation, or with any similar federal agencies hereafter created, and with any departments or other federal agencies engaged in defense or emergency management activities;
- (c) To cooperate with emergency management agencies or councils and similar organizations of other states;
- (d) To cooperate with county, city and interjurisdictional disaster agencies;
- (e) To supervise and direct investigations, and report to the governor with recommendations for legislation or other appropriate action as the adjutant general deems necessary, with respect to any type of activity or matter of public concern or welfare insofar as the same is or may be related to emergency management;
- (f) To appoint committees to aid the adjutant general in the discharge of the powers and duties conferred by this act;
- (g) To require and direct the cooperation and assistance of state and local governmental agencies and officials;
- (h) To serve as the chief administrative officer of the division of emergency management and the state resources administrator; and
- (i) To do all acts and things, not inconsistent with law, for the furtherance of emergency management activities.

History: L. 1951, ch. 323, § 6; L. 1955, ch. 263, § 4; L. 1965, ch. 337, § 2; L. 1975, ch. 283, § 21; L. 1994, ch 248, § 3; July 1.

Source or prior law:

48-604.

48.908.

History: L. 1951, ch. 323, § 7; L. 1955, ch. 263, § 5; Repealed, L. 1975, ch. 283, § 32; April 11.

Source or prior law:

48-605.

48.909.

History: L. 1951, ch. 323, § 8; L. 1955, ch. 263, § 6; L. 1957, ch. 308, § 1; Repealed, L. 1975, ch. 283, § 32; April 11.

Source or prior law:

48-606.

48.910.

History: L. 1951, ch. 323, § 9; L. 1955, ch. 263, § 7; Repealed, L. 1975, ch. 283, § 32; April 11.

48.911. Mobile support units; duties of adjutant general. The adjutant general, at the request of the governor, is authorized to create and establish such number of mobile support units as may be necessary to reinforce the emergency management activities of county, city and interjurisdictional disaster agencies in stricken areas and with due consideration of the plans of the federal government and of other states. The adjutant general shall appoint a commander for each such unit who shall have primary responsibility for the organization, administration and operation of such unit for such purposes. Mobile support units shall be called to duty upon orders of the adjutant general, with the approval of the governor, and shall perform their functions in any part of the state or in other states upon the conditions authorized under the provisions of this act.

History: L. 1951, ch. 323, § 10; L. 1955, ch. 263, § 8; L. 1975, ch. 283, § 22; L. 1994, ch. 248, § 4; July 1.

48.912. Investigations and surveys; testimony and evidence; fees and mileage of witnesses. For the purpose of making surveys and investigations and obtaining information under this act, the adjutant general may compel by subpoena the attendance of witnesses, and the production of books, papers, records and documents of individuals, firms, associations and corporations; and all officers, boards, commissions and departments of the state, and the political subdivisions thereof, having information with respect thereto, shall cooperate with and assist him or her in making such investigations and surveys. In case of disobedience to a subpoena of the adjutant general, the adjutant general may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of documentary evidence. Each witness who appears before the adjutant general by his or her order, other than a state officer or employee, shall receive for his or her attendance the fees and mileage provided for witnesses in civil actions in courts of record, which shall be audited and paid upon presentation of proper vouchers certified to by such witness and approved by the adjutant general.

History: L. 1951, ch. 323, § 11; L. 1955, ch. 263 § 9; L. 1975, ch. 283, § 23; April 11.

48.913.

History: L. 1951, ch. 323, § 12; L. 1955, ch. 263, § 10; Repealed, L. 1975, ch. 283, § 32; April 11.

48.914. Lease, sale or loan of state property to federal or local governments; transfer of personnel; cities and counties authorized to contract. Notwithstanding any inconsistent provision of law:

(a) Whenever the adjutant general, with approval of the governor, deems it to be in the public interest, he or she may:

(1) Authorize any department or agency of the state to lease or lend, on such terms and conditions as he or she may deem necessary to promote the public welfare and protect the interests of the state, any real or personal property of the

sate government to the president, the heads of the armed forces, or to the civil defense agency of the United States.

(2) Enter into a contract on behalf of the state for the lease or loan to any political subdivision of the state on such terms and conditions as he or she may deem necessary to promote the public welfare and protect the interests of the state, of any real or personal property of the state or under the jurisdiction or control of the state government, or the temporary transfer or employment of personnel of the state government to or by any political subdivision of the state.

(3) Enter into a contract on behalf of the state to provide by lease or purchase to any individual in this state, any services, materials or equipment of the state, or under the jurisdiction or control of the state, for the purpose of alleviating hardships and distress of such individual arising from a disaster, and receive reimbursement on behalf of the state in whole or in part for such services, materials or equipment.

(b) The mayor of any city or the chairman of the board of county commissioners of any county of the state may:

(1) Enter into such contract or lease with the state, or accept any such loan, or employ such personnel, and such political subdivision may equip, maintain, utilize and operate any such property and employ necessary personnel therefore in accordance with the purposes for which such contract is executed.

(2) Do all things and perform any and all acts which he or she may deem necessary to effectuate the purpose for which such contact was entered into.

History: L. 1951, ch. 323, §13; L. 1955, ch. 263, § 11; L. 1975, ch. 283, § 24; April 11.

48.915. Immunity from liability of the state, local governments and certain individuals.

(a) Neither the state nor any political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personnel injury or property damage sustained by any person appointed or acting as a volunteer worker, or member of any agency, engaged in emergency management activities. The foregoing shall not affect the right of any person to receive benefits or compensation to which such person otherwise may be entitled under the worker's compensation law or any pension law or any act of congress.

(b) Whenever a proclamation is issued declaring a state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto, neither the state nor any political subdivision of the state nor, except in cases of willful misconduct, gross negligence or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer worker, or member of any agency, engaged in any emergency management activities, complying with or reasonably attempting to comply with this act, or any proclamation, order, rule and regulation promulgated pursuant to the provisions of this act, or pursuant to any ordinance relating to blackout or other precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity performed during the existence of such state of disaster emergency or other such state of emergency.

History: L.1951, ch. 323, § 14; L. 1975, ch. 283, § 25; L. 1994, ch. 248, § 5; July 1.

Cross References to Related Sections:

Insurance for workers by cities, see 48-922.

Research and Practice Aids:

War and National Defense 65.

C.J.S. War and National Defense § 66.

48.916. Authority to accept services, gifts, grants and loans.

(a) Whenever the federal government or any agency or officer thereof offers to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials or funds by way of gift, grant or loan, for purposes of emergency management, the state, acting through the governor or such political subdivision, acting with the consent of the governor and through its executive officer or governing body, may accept such offer and upon such acceptance the governor of the state or executive officer or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.

(b) Whenever any person, firm or corporation offers to the state or to any political subdivision thereof, services, equipment, supplies, materials or funds by way of gift, grant or loan, for purpose of emergency management, the state, acting through the governor, or such political subdivision, acting through its executive officer or governing body, may accept such offer and upon such acceptance the governor of the state or executive officer or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials or funds on behalf of the state or such political subdivision, subject to the terms of the offer.

(c) If an agreement pursuant to which an interjurisdictional disaster agency is established and functions so provides, such agency may accept, administer, utilize and expend grants, gifts or other assistance in the same manner provided for the state and political subdivisions in subsections (a) and (b).

History: L.1951, ch. 323, § 15; L. 1975, ch. 283, § 26; L. 1994, ch. 248, § 6; July 1.

Source or prior law:

48-901.

48.917. Persons ineligible for employment. No person shall be employed by any emergency management organization established under this act who advocates a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States.

History: L.1951, ch. 323, § 16; L. 1975, ch. 283, § 27; L. 1994, ch. 248, § 7; July 1.

48.918.

History: L. 1951, ch. 323, § 17, Repealed, L. 1955, ch. 263, §14; July 1.

Source or prior law:

48-607.

48.919. Employees, division of emergency management; expenses. The adjutant general, as the chief administrative officer of the division of emergency management, is hereby authorized to employ an emergency management programs' administrator, a planning officer and such technical, professional, clerical, stenographic and other personnel and may make such expenditures within the appropriation therefore, or from other funds made available to the adjutant general for the purpose of emergency management, as may be necessary to carry out the purposes of this act. Such employees shall be within the classified service and their compensation shall be determined as provided by the Kansas civil service act. The adjutant general and such employees may be reimbursed for their actual and necessary travel and other expenses incurred in connection with their official duties under this act, subject to the applicable provisions of article 32 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

History: L. 1955, ch. 263, § 12; L. 1959, ch. 234, § 1; L. 1975, ch. 283, § 28; L. 1994, ch. 248, § 8; July 1.

48.920. Title of act. This act and the act of which this section is amendatory may be cited as the "Kansas emergency management act."

History: L.1955, ch. 263, § 13; L. 1975, ch. 283, § 29; L. 1994, ch. 248, § 9; July 1.

48.921.

History: L. 1955, ch. 262, § 1; Repealed, L. 1975, ch. 283, § 32; April 11.

48.922. Purchase of accident insurance for volunteer workers by cities; coverage; immunity; definitions.

(a) The governing body of any city which has a disaster agency pursuant to K.S.A. 48-929, and amendments thereto, or is participating in an interjurisdictional arrangement under an interjurisdictional disaster agency pursuant to K.S.A. 48-930, and amendments thereto may purchase accident insurance for the protection of those volunteer workers engaged in emergency management activities sustaining injury or death by accidental means as a result of such emergency management activities as the volunteer worker may be called on to perform when called into services in such capacity. The governing body of such city may purchase accident insurance from private insurance companies in such amounts and for such coverages as the city governing body may deem necessary and pay for such insurance out of the emergency management fund. The purchase of such insurance shall not constitute a waiver of the immunity of the city from any action or suit provided for in K.S.A. 48-915, and amendments thereto.

(b) As used in this section:

(1) "Volunteer workers" means those natural persons who volunteer their services for the purpose of engaging in emergency management activities under a

disaster agency established and maintained under K.S.A. 48-929 or 48-930; and amendments thereto; and

(2) "Injury" means and includes all injuries to a volunteer worker received by accidental means while such volunteer worker is actually engaged in performing duties arising out of and in the course of such emergency management activities.

History: L.1955, ch. 262, § 2; L. 1975, ch. 283, § 30; L. 1994, ch. 248, § 10; July 1.

Law Review and Bar Journal References:

"A Practitioner's Guide to the Kansas Tort Claims Act," Jerry R. Palmer, 48 J.B.A.K. 299, 301 (1979).

48.923. Limitations on effect of act. Nothing in the emergency management act shall be construed to:

(a) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;

(b) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including but not limited to radio and television stations, wire services and newspapers, may be required by the governor to transmit or print public service messages, information or instructions in connection with a declared state of disaster emergency;

(c) Affect, other than during a declared state of disaster emergency, the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but the state disaster emergency plan and local and interjurisdictional disaster emergency plans shall place reliance upon such forces which are available for performance of functions related to a declared state of disaster emergency; or

(d) Limit, modify or abridge the authority of the governor to proclaim martial law or exercise any other powers vested in the governor under the constitution, statutes or common law of this state independent of, or in conjunction with, any provisions of this act.

History: L. 1975, ch. 283, § 3; L. 1994, ch. 248, § 11; July 1.

Research and Practice Aids:

War and National Emergency - 61

C.J.S. War and National Defense § 62.

Attorney General's Opinions:

County and city disaster agencies, duties of local sheriff. 85-85.

48.924. Disaster or drought; governor's and lieutenant governor's powers and duties. (a) The governor shall be responsible for meeting the dangers to the state and people presented by disasters.

(b) The governor, upon finding that a disaster has occurred or that occurrence or the threat thereof is imminent, shall issue a proclamation declaring a state of disaster emergency. The state of disaster emergency so declared shall continue until the governor finds that the threat or danger of disaster has passed, or the disaster has

been dealt with to the extent that emergency conditions no longer exist. Upon making such findings the governor shall terminate the state of disaster emergency by proclamation, but no state of disaster emergency may continue for longer than fifteen days unless ratified by concurrent resolution of the legislature, with the single exception that upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended once for a specified period not to exceed 30 days beyond such 15-day period. At any time, the legislature by concurrent resolution may require the governor to terminate a state of disaster emergency. Upon such action by the legislature, the governor shall issue a proclamation terminating the state of disaster emergency. Any proclamation declaring or terminating a state of disaster emergency which is issued under this subsection shall indicate the nature of the disaster, the area or areas threatened or affected by the disaster and the conditions which have brought about, or which make possible the termination of, the state of disaster emergency. Each such proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent the same, each such proclamation shall be filed promptly with the division of emergency management, the office of the secretary of state and each city clerk or county clerk, as the case may be, in the area to which such proclamation applies.

(c) In the event of the absence of the governor from the state or the existence of any constitutional disability of the governor, an officer specified in the K.S.A. 48-1204 and amendments thereto, in the order of succession provided by that section, may issue a proclamation declaring a state of disaster emergency in the manner provided in and subject to the provisions of subsection (a). During a state of disaster emergency declared pursuant to this subsection, such officer may exercise the powers conferred upon the governor by K.S.A. 48-925, and amendments thereto. If a preceding officer in the order of succession becomes able and available, the authority of the officer exercising such powers shall terminate and such powers shall be conferred upon the preceding officer. Upon the return of the governor to the state or the removal of any constitutional disability of the governor, the authority of an officer to exercise the powers conferred by this section shall terminate immediately and the governor shall resume the full powers of the office. Any state of disaster emergency and any actions taken by an officer under this subsection shall continue and shall have full force and effect as authorized by law unless modified or terminated by the governor in the manner prescribed by law.

(d) A proclamation declaring a state of disaster emergency shall activate the disaster response and recovery aspects of the state disaster emergency plan and of any local and interjurisdictional disaster plans applicable to the political subdivisions or areas affected by the proclamation. Such proclamation shall be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, materials or facilities assembled, stockpiled or arranged to be made available pursuant to this act during a disaster.

(e) The governor, when advised pursuant to K.S.A. 74-2608, and amendments thereto, that conditions indicative of drought exist, shall be authorized to declare by proclamation that a state of drought exists. This declaration of a state of drought can

be for specific areas of communities, can be statewide or for specific water sources and shall effect immediate implementation of drought contingency plans contained in state approved conservation plans, including those for state facilities.

History: L. 1975, ch. 283, § 4; L. 1991, ch. 292, § 1; L. 1994, ch. 248, § 12; July 1.

Attorney General's Opinions:

Governor's authority to appoint lieutenant governor chairman of the state parole board. 91-80.

CASE ANNOTATIONS

1. Cited in opinion Governor lacked legislative authority to bind state in negotiating with Kickapoo nation on gaming compact. State ex rel Stephan v. Finney, 251 K. 559, 573, 836 P. 2d 1169 (1992).

48.925. Powers of governor during state of disaster emergency; orders and proclamations, administered by adjutant general.

(a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing herein shall restrict the authority of the governor to do so by orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation thereof, the governor may issue orders and proclamations which shall have the force and effect of law during the period of a state of disaster emergency declared under subsection (b) of K.S.A. 48-924, and amendments thereto, and which orders and proclamations shall be null and void thereafter unless ratified by concurrent resolution of the legislature. Such orders and proclamations may be revoked at any time by concurrent resolution of the legislature.

(c) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, and in addition to any other powers conferred upon the governor by law, the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) Utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) Transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) Subject to any applicable requirement for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) Direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) Prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) Control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises therein;

(8) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles;

(9) Make provision for the availability and use of temporary emergency housing;

(10) Require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) Perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall exercise the powers conferred by subsection (c) by issuance of orders under subsection (b). The adjutant general, subject to the direction of the governor, shall administer such orders.

History: L. 1975, ch. 283, § 5; L. 1994, ch. 248, § 13; July 1.

Attorney General's Opinions:

Emergency medical service attendants; temporary certificates. 84-78.

County and city disaster agencies; duties of local sheriff. 85-85.

CASE ANNOTATIONS:

1. Cited in opinion Governor lacked legislative authority to bind state in negotiating with the Kickapoo nation on gaming compact. *State ex rel Stephan v. Finney*, 251 K. 559, 573, 836 P. 2d 1169 (1992).

48.926. State disaster emergency plan; rules and regulations.

(a) The division of emergency management shall prepare and maintain a state disaster emergency plan, which may include provisions for:

(1) Prevention and minimization of injury and damage caused by disaster;

(2) Prompt and effective response to disaster;

(3) Emergency relief;

(4) Identification of areas particularly vulnerable to disasters;

(5) Recommendations for zoning, building and other land-use controls, safety measures for securing mobile homes or other nonpermanent or semi permanent structures, and other emergency management measures designed to eliminate disasters or to reduce their impact;

(6) Assistance to local officials in designing local and interjurisdictional disaster emergency plans;

(7) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage or loss from disasters;

(8) Preparation and distribution of a list of disaster emergency plans, training programs and other assistance available through federal, state and private assistance programs for the benefit of the state and the counties and cities thereof;

(9) Organization of manpower and creation of chains of command;

(10) Coordination of federal, state and local emergency management activities;

(11) Utilizing the organization, personnel, equipment and resources of the Kansas wing of the civil air patrol; and

(12) Such other matters as are necessary to accomplish the purposes of this act.

(b) The state disaster emergency plan, or any part thereof, may be included in rules and regulations adopted by the adjutant general under this act or orders issued by the governor under subsection (b) of K.S.A. 48-925, and amendments thereto.

History: L. 1975, ch. 283, § 6; L. 1994, ch. 248, § 14; July 1.

48.927. State resources management plan. The division of emergency management shall prepare a state resources management plan to include such economic controls as may be reasonably necessary to effectuate recovery from disasters. Such resources management plan, or any part thereof, may be placed in effect by incorporating the same in orders issued by the governor under subsection (b) of K.S.A. 48-925, and amendments thereto.

History: L. 1975, ch. 283, § 7; L. 1994, ch. 248, § 15; July 1.

48.928. Duties of division of emergency management. In addition to other duties imposed under this act, the division of emergency management shall:

(a) Determine the requirements of the state and the counties and cities thereof for food, clothing and other necessities in event of a disaster;

(b) Procure and distribute about the state, such supplies, medicines, materials and equipment which are deemed necessary for use during a disaster;

(c) Promulgate standards and requirements for local and interjurisdictional disaster emergency plans including adequate provisions for the rendering and receipt of mutual aid;

(d) Periodically examine or review and approve local and interjurisdictional disaster emergency plans, which are in accordance with the standards and requirements promulgated therefore;

(e) Establish and operate training or public information programs relating to emergency management, and assist counties and cities, the disaster agencies of such counties or cities and interjurisdictional disaster agencies, in the establishment and operation of such programs;

(f) Make surveys of industries, resources and facilities within the state, both public and private, as are necessary to carry out the purposes of this act;

(g) Plan and make arrangements for the availability and use of any private facilities, services and property for emergency management activities and, if necessary and if in fact used, provide for payment for such use under terms and conditions agreed upon;

(h) Establish a register of persons with types of training and skills important in emergency management activities;

(i) Establish a register of mobile and construction equipment and temporary housing available for use in a disaster;

(j) Prepare drafts of orders or proclamations for the governor as necessary or appropriate in coping with disasters;

(k) Serve, for all those agencies, which regulate any matter affecting the transportation of hazardous materials:

(1) As the coordinating and supervising state agency; and

(2) To provide continuing liaison between such state agencies;

(l) Establish an informational system under which state agencies shall notify the division of emergency management; and

(m) Cooperate with the federal government and any public or private agency or entity in achieving any purpose of this act and in implementing programs for disaster prevention, preparation, response and recovery.

History: L. 1975, ch. 283, § 8; L. 1980, ch. 158, § 2; L. 1994, ch. 248, §; July 1.

48.929. County and city disaster agencies; determination by governor; disaster emergency plans by county, city and interjurisdictional disaster agencies; duties of local officials.

(a) Each county within this state shall establish and maintain a disaster agency responsible for emergency management and coordination of response to disasters or shall participate in an interjurisdictional arrangement for such purposes under an interjurisdictional disaster agency as provided in K.S.A. 48-930, and amendments thereto. Except as otherwise provided in this act, each county or interjurisdictional disaster agency shall have jurisdiction over and serve all of each county included there under. No county which is included in an interjurisdictional arrangement under the jurisdiction of an interjurisdictional disaster agency pursuant to subsection (a) of K.S.A. 48-930, and amendments thereto, shall establish or maintain a separate disaster agency for such county.

(b) The governor shall determine which cities need disaster agencies of their own and, upon such determination, shall require that each such city establish and maintain a disaster agency therefore. The governor shall make such determinations on the basis of each city's disaster vulnerability and capability of response related to population size and concentration. The disaster agency of a county shall cooperate with the disaster agency of any city located within such county, but shall not have jurisdiction within a city having its own disaster agency. The division of emergency management shall publish and keep current a list of cities, which are required to have disaster agencies under this subsection.

(c) The mayor or other principal executive officer of each city required to have a disaster agency and the chairperson of the board of county commissioners of each county shall notify the division of emergency management of the manner in which such city or county is providing or securing disaster planning and emergency services, identify the person who heads the agency responsible for providing such services and furnish additional information relating thereto as the division of emergency management requires.

(d) In accordance with the standards and requirements for disaster emergency plans promulgated by the division of emergency management, each county, city and interjurisdictional disaster agency shall prepare and keep current a disaster emergency plan for the area under its jurisdiction, which has been approved after examination and periodic review by the division of emergency management.

(e) The county, city or interjurisdictional disaster agency, as the case may be, shall prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local agencies and officials and of the disaster chain of command.

(f) Any county and any city which is required to establish a disaster agency under this section, may designate the local council of defense, which was established in accordance with K.S.A. 48-909, and amendments thereto, for such county or city and which was in existence on the day immediately preceding the effective date of this act, as such county or city disaster agency under this section.

(g) When the corporate limits of any city extend into two counties, and that city has not been required to establish a disaster agency in accordance with this section and an interjurisdictional agency including such counties has not been established pursuant to K.S.A. 48-930, and amendments thereto, the governing body of such city may petition the board of county commissioners of the two counties to enter into an agreement which designates one of the counties as the disaster agency for such city for the purposes specified in this act. The board of county commissioners of the two counties shall consult and meet with the governing body of the affected city prior to such agreement being approved. If an agreement has not been entered into within one year after the city's petition, the city or either of the counties may petition and the adjutant general shall designate one of the counties as the disaster agency for the city. The adjutant general's designation shall be final and binding of the city and counties until such designation is revised by the adjutant general or by agreement of the two counties in accordance with the procedures in this section. Any agreement entered into in accordance with this section shall meet the requirements of K.S.A. 12-2901 et seq., and amendments thereto, the interlocal cooperation act.

History: L. 1975, ch. 283, § 9; L. 1994, ch. 248, § 17; July 1.

Attorney General's Opinions:

County and city disaster agencies; duties of local sheriff. 85-85

48.930. Interjurisdictional disaster agencies; finding and order by governor; disaster emergency plans; interjurisdictional agreements between counties; interstate mutual aid organizations, agreements, disapproval by legislature.

(a) If the governor finds that two or more adjoining counties would be served better by an interjurisdictional disaster agency than by maintaining separate disaster agencies and services, the governor shall order the establishment of an interjurisdictional disaster agency which is adequate to plan for, prevent or respond to disasters in that area and direct steps to be taken as necessary, including the creation of an interjurisdictional relationship and an interjurisdictional disaster emergency plan which provide for mutual aid or an area organization for emergency

management. A copy of such order shall be given to the chairperson of the board of county commissioners of each county affected by such order and to the mayor or other principal executive officer of each city located within any such county, and such counties and cities shall act in accordance with such order. Any interjurisdictional agreement entered into by two or more counties which are ordered to establish an interjurisdictional disaster agency under this subsection, may designate a local council of defense, which was established in accordance with K.S.A. 48-909, and amendments thereto, for one of such counties and which was in existence on the day immediately preceding the effective date of this act, as such interjurisdictional disaster agency. Each interjurisdictional disaster agency shall cooperate with the disaster agency of any city located within any county under the jurisdiction of such interjurisdictional disaster agency, but shall not have jurisdiction within such cities having disaster agencies. A finding by the governor pursuant to this subsection shall be based on one or more factors related to the difficulty of maintaining an efficient and effective emergency management system on a single-jurisdiction basis, such as:

- (1) Small or sparse population;

- (2) Limitations on public financial resources severe enough to make maintenance of a separate disaster agency and services unreasonably burdensome;

- (3) Unusual vulnerability to disaster as evidenced by a past history of disasters, topographical features, drainage characteristics, disaster potential and presence of disaster-prone facilities or operations;

- (4) The interrelated character of the counties in a multi-county area; or

- (5) Other relevant conditions or circumstances.

(b) Two or more counties, which are not under the jurisdiction of an interjurisdictional disaster agency pursuant to subsection (a), may be required by the governor, by an order issued in the manner prescribed in subsection (a), to participated and enter into an interjurisdictional agreement or arrangement without requiring the establishment and maintenance of such a disaster agency therefore, if the governor finds that:

- (1) Such counties, or the cities situated therein, have equipment, supplies and forces which are necessary to provide mutual aid on a regional basis; and

- (2) Such counties have not made adequate provisions in the disaster emergency plans for the rendering and receipt of mutual aid for the emergency management needs of the entire region.

(c) If the governor finds that it would be desirable to establish an interstate mutual aid organization or an area organization for disaster for an area including territory in this state and any other state or states, the governor shall take such action as is necessary to achieve such objective. If this state has enacted the interstate civil defense and disaster compact and this action is taken with a jurisdiction which has also enacted the interstate civil defense and disaster compact, and resulting agreement with such jurisdiction may be considered a supplemental agreement pursuant to article VI of that compact.

(d) If this state, or any other jurisdiction with which the governor proposes to cooperate pursuant to subsection (c), has not enacted the interstate civil defense and

disaster compact, the governor may negotiate a special agreement with such jurisdiction. Any such agreement, if sufficient authority for the making thereof does not otherwise exist, may become effective only if its text has been submitted to the legislature by filing a copy thereof with the legislative coordinating council, and neither house of the legislature has disapproved it by resolution during the next regular session of the legislature after such submission.

History: L. 1975, ch. 283, § 10; L. 1994, ch. 248, § 18; July 1.

Cross References to Related Sections:

Interstate civil defense and disaster compact, see 48-3201 and 48-3202.

48.931. Development and revision of state, local and interjurisdictional disaster plans; advice and assistance of local government, business and civic leaders.

(a) The division of emergency management shall take an integral part in the development and revision of local and interjurisdictional disaster emergency plans prepared under K.S.A. 48-929 and 48-930, and amendments thereto. To this end, the division of emergency management shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to counties and cities, their disaster agencies and interjurisdictional disaster agencies. These personnel shall consult with such counties, cities and disaster agencies on a regularly scheduled basis and shall make field examinations of the areas, circumstances and conditions to which particular local or interjurisdictional disaster emergency plans are intended to apply. The division of emergency management may require revisions of such plans on the basis of such examinations.

(b) In preparing and revising the state disaster emergency plan, the division of emergency management shall seek the advice and assistance of local government, business, labor, industry, agriculture, civic and volunteer organizations and community leaders. In advising county, city and interjurisdictional disaster agencies which are developing or revising disaster emergency plans, the division of emergency management shall encourage such disaster agencies also to seek such advice and assistance.

History: L. 1975, ch. 283, § 11; L. 1994, ch. 248, § 19, July 1.

48.932. States of local disaster emergency; effect; powers and duties of county and city officials.

(a) A state of local disaster emergency may be declared by the chairman of the board of county commissioners of any county, or by the mayor or other principal executive officer of each city of this state having a disaster emergency plan, upon a finding by such officer that a disaster has occurred or the threat thereof is imminent within such county or city. No state of local disaster emergency shall be continued for a period in excess of seven (7) days or renewed, except with the consent of the board of county commissioners of such county or the governing body of such city, as the case may be. Any order or proclamation declaring, continuing or terminating

a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the county clerk or city clerk, as the case may be.

(b) In the event of the absence of the chairman of the board of county commissioners from the county or the incapacity of such chairman, the board of county commissioners, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). In the event of the absence of the mayor or other principal executive officer of a city from the city or the incapacity of such mayor or officer, the governing body of the city, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). Any state of local disaster emergency and any actions taken pursuant to applicable local and interjurisdictional disaster emergency plans, under this subsection shall continue and have full force and effect as authorized by law unless modified or terminated in the manner prescribed by law.

(c) The declaration of a local disaster emergency shall activate the response and recovery aspects of any and local and interjurisdictional disaster emergency plans which are applicable to such county or city, and shall initiate the rendering of aid and assistance there under.

(d) No interjurisdictional disaster agency or any official thereof may declare a local disaster emergency, unless expressly authorized by the agreement pursuant to which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement pursuant to which it functions in the case of a state of local disaster emergency declared under subsection (a).

History: L. 1975, ch. 283, § 12; April 11.

Attorney General's Opinions:

Emergency medical service attendants; temporary certificates. 84-78

County and city disaster agencies; duties of local sheriff. 85-85

48.933. Duty of individuals during disaster emergencies; compensation for loss of property, exceptions; claims procedure.

(a) Each person within this state shall act and manage the affairs of such person and such person's property in any way which reasonably will assist and not detract from the ability of the state and the public successfully to meet disasters. This obligation includes appropriate personal service and use or restriction on the use of property during a declared state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declared state of local disaster emergency under K.S.A. 48-932, and amendments thereto. This act neither increases nor decreases these obligations, but recognizes their existence under the constitution and statutes and the common law of this state. Compensation for services or for the taking or use of property shall be only to the extent that obligations recognized in this subsection are exceeded in a particular case and then only to the extent that the claimant may not be deemed to have volunteered services or property without compensation.

(b) No personal services may be compensated by the state or any subdivision or agency thereof, except pursuant to statute enacted or ordinance duly adopted therefore.

(c) Compensation for property shall be only if the property was commandeered or otherwise used in coping with a disaster and its use or destruction was ordered by the governor, adjutant general, an official of a county, city or interjurisdictional disaster agency, or some other authorized member of the emergency management forces of this state.

(d) Any person claiming compensation for the use, damage, loss or destruction of property under this act shall file a claim therefore in the district court in the same manner as any other civil action. The court shall determine the validity of such claim in the same manner and under the same conditions prescribed for condemnation actions pursuant to K.S.A. 26-501 *et seq.* and amendments thereto. Unless the amount of compensation on account of property damaged, lost or destroyed is agreed upon by the claimant and the adjutant general, the amount of compensation shall be calculated in the same manner as compensation due for a taking of property pursuant to the condemnation law of this state.

(e) Nothing in this section applies to or authorizes compensation for the destruction or damaging of standing timber or other property in order to provide a fire break or for the release of waters or the breach of impoundments in order to reduce pressure or other danger from actual or threatened flood.

History: L. 1975, ch. 283, § 13; L. 1994, ch. 248, § 20; July 1.

48.934. Duties and immunities of law enforcement, military and other authorized personnel. Law enforcement officers, military personnel, or other persons authorized to assist them, while engaged in maintaining or restoring the public peace or safety or in the protection of life or property during a state of disaster emergency proclaimed under K.S.A. 48-924, shall have all powers, duties and immunities of peace officers of the state of Kansas in addition to all powers, duties and immunities now otherwise provided by law and shall be immune from civil and criminal liability for acts reasonably done by them in the performance of their duties so long as they act without malice and without the use of excessive or unreasonable force. All such personnel shall have the authority to enforce any and all ordinances of any municipality within an area affected by disaster as indicated in the proclamation of a state disaster emergency under K.S.A. 48-924, and for such purpose, all such personnel shall be considered to be authorized officers of said municipality.

History: L. 1975, ch. 283, § 14; April 11.

48.935. Force and effect of municipal ordinances during disaster emergencies. Any ordinance of any municipality authorizing the mayor or other persons to act during a state of disaster emergency proclaimed under K.S.A. 48-924 or during a state of local disaster emergency declared under K.S.A. 48-932, shall be in full force and effect except for the provisions of such ordinance which are in conflict with any provision of this act or of the state disaster emergency plan or of the applicable local

and interjurisdictional disaster emergency plans in which case such conflicting provisions of such ordinance shall be null and void for all purposes.

History: L. 1975, ch. 283, § 15; April 11.

48.936. Immunity from liability for persons in control of certain premises. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part of such real estate or premises for the purpose of sheltering persons during an actual or impending, nuclear practice attack or disaster, together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises, or the loss of or damage to the property of such person, at any time such real estate or premises are actually used for such purpose.

History: L. 1975, ch. 283, § 16; April 11.

Attorney General's Opinions:

Immunity from liability for persons controlling property used for shelter during actual or impending disasters. 93-101.

48.937. Communications systems during disasters; recommendations to governor. The division of emergency management shall ascertain what means exist for rapid and efficient communications during a disaster. The division of emergency management shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive state or state and federal telecommunications or other communications system, which may be established for purposes of emergency management. In studying the character and feasibility of any such system or its several parts, the division of emergency management shall consult thereon with the secretary of administration and evaluate the possibility of the multipurpose use of such a system for general state and local government purposes. The division of emergency management shall make recommendations regarding such communications systems to the governor as appropriate.

History: L. 1975, ch. 283, § 17; L. 1994, ch. 248, § 21; July 1.

48.938. Federal grants to individuals and families; powers and duties of governor; amount of state share; maximum amount, determination. Whenever the president of the United States, pursuant to the federal Robert T. Stafford disaster relief and emergency assistance act and the federal disaster relief and emergency assistance amendments of 1988, has declared a major disaster to exist in this state, the governor is hereby authorized to apply for, accept and disburse grants from the federal government pursuant to section 411 of the federal disaster relief and emergency amendments of 1988, in order to meet the disaster-related necessary expenses or serious needs of individuals or families in this state who are adversely affected by such major disaster which cannot be met adequately from other means. In order to implement and administer such grant program and to make financial grants there under, the governor is hereby authorized to enter into an agreement with the federal government, or any officer or agency thereof, pledging the state to

provide the state share of such financial grants, subject to the allocation of funds for such purpose by the state finance council from the state emergency fund, as provided in K.S.A. 75-3713 and amendments thereto. The state share of any grant made pursuant to this section to meet disaster-related necessary expenses and serious needs of individuals and families in this state shall not exceed 25% of the actual cost of such expenses and needs as authorized by section 411 of the federal disaster relief and emergency assistance amendments of 1988 and in any event shall not exceed, in the aggregate to any one individual or family with respect to any one major disaster, the maximum amount determined for the current fiscal year under this section. The maximum amount of the state share of such financial grants under this section for the fiscal year ending June 30, 1990, shall be \$2,500. The maximum amount for each fiscal year thereafter shall be determined by the adjutant general on or before July 1 of such fiscal year and shall be equal to the maximum amount for the preceding fiscal year plus an additional amount determined by the adjutant general to be proportionally equal to the increase, if any, by which the consumer price index for all urban consumers published by the United States department of labor for the preceding calendar year, exceeds that index for the second preceding calendar year.

History: L. 1975, ch. 283, § 18; L. 1989, ch 158, § 1, July 1.

48.939. Penalty for violation of act or rules and regulations, orders or proclamations there under. The knowing and willful violation of any provision of this act or any rule and regulation adopted by the adjutant general under this act or any lawful order or proclamation issued under authority of this act whether pursuant to a proclamation declaring a state of disaster emergency under K.S.A. 48-924 or a declaration of a state of local disaster emergency under K.S.A. 48-932, shall constitute a class A misdemeanor and any person convicted of such violation shall be punished as provided by law therefore.

History: L. 1975, ch. 283, § 20; April 11.

NUCLEAR SAFETY EMERGENCY MANAGEMENT

48-940. Title of act. This act shall be known and may be cited as the Kansas nuclear safety emergency management act.

History: L. 1993, ch 113, § 1; L. 1994, ch. 248, § 22, July 1.

48-941. Definitions. As used in this act: (a) "Emergency planning zone" means an area surrounding a nuclear facility for which planning is needed to assure that prompt and effective actions can be taken to protect the public in the event of an accident at the facility. Each nuclear facility and an ingestion exposure pathway-planning zone consisting of an area approximately 50 miles in radius surrounding the facility. (b) "Emergency management has the meaning ascribed thereto by K.S.A. 48-904, and amendments thereto. (c) "Nuclear Facility" means any facility which utilized nuclear energy to produce electricity and which has all or any part of an emergency-planning zone within Kansas. (d) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, or any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing.

History: L. 1993, ch. 113, § 2; L. 1994, ch. 248, § 23; July 1.

48-942. Costs of emergency management plans and programs; fees. (a) Persons engaged in the production of electricity through the utilization of nuclear energy at a nuclear facility shall pay fees to the adjutant general to cover the costs incurred by state and local government agencies in establishing and maintaining appropriate emergency management plans and programs for an accident at a nuclear facility, including the costs of administering this act. (b) Fees collected under the provisions of this act shall be used exclusively to fund those state and local government activities approved as necessary by the adjutant general to develop, maintain and implement appropriate plans and programs necessary for management for an accident at a nuclear facility and for administration of this act. (c) State agencies and local governments of Kansas incurring expenses attributable to developing and maintaining plans and to meet responsibilities in the event of an accident at a nuclear facility may apply to the adjutant general for payment for those expenses. Upon approval by the adjutant general of emergency management budgets submitted by state and local government agencies therefore, the adjutant general shall pay or reimburse such expenses or may disburse moneys in advance of such expenses from fees collected pursuant to this act. (d) The adjutant general shall remit to the state treasurer all moneys received from fees fixed and collected pursuant to this act. Upon receipt of such moneys, the state treasurer shall deposit the entire amount in the state treasury and credit it to; the nuclear safety emergency management fee fund. All expenditures from the nuclear safety emergency management fee fund shall be in accordance with the provisions of appropriation acts. All moneys in the nuclear safety emergency preparedness fee fund and all liabilities of such fund on the day preceding the effective date of this act shall be transferred to the nuclear safety emergency management fee fund. The nuclear safety emergency preparedness fee fund is hereby abolished. (e) When the total of all the fees collected under this act during any fiscal year exceeds the total expenditures from the nuclear safety emergency management fee fund

under this act from appropriations for that fiscal year, the amount of receipts that exceeds such expenditures shall be credited to the persons who were assessed such fees for that fiscal year, and such amount shall be credited against the fees to be collected under this act for the ensuing fiscal year. Each such person shall receive as a credit that amount of the excess, which corresponds proportionately to the amount of fees the person paid with respect to all fees collected under this act in the fiscal year that produces the excess.

History: L. 1993, ch. 113, § 3; L. 1994, ch. 248, § 24; July 1.

48-493. Rules and regulations; personnel. (a) The adjutant general shall adopt rules and regulations necessary to administer and implement the provisions of this act. Such rules and regulations shall include a schedule for the submission of emergency management budget requests by participating state and local government agencies and for the payment and disbursement of moneys from the nuclear safety emergency management fee fund. Commencing with the fiscal year ending June 30, 1993, the adjutant general shall prepare a budget estimate for each fiscal year showing the total of operating expenditures and capital improvement expenditures projected to be incurred in administering this act during the fiscal year. The budget estimate under this act shall be prepared only after consultation with those persons liable for the fees imposed under this act shall be prepared only after consultation with those persons liable for the fees imposed under this act as to the costs necessary to enable state and local government agencies to perform their responsibilities in the event of an accident at a nuclear facility. (b) Within the limitations of appropriation acts, the adjutant general is authorized to employ appropriate personnel necessary to administer the provisions of this act and rules and regulations adopted under this act. All costs incurred by the adjutant general in administering the provisions of this act shall be paid from fees collected pursuant to this act. The adjutant general shall have the duty, in administering this act, to prevent and eliminate any duplication of services or equipment.

History: L. 1993, ch. 113, § 4; L. 1994, ch. 248, § 25; July 1.

48-944. Administration of act. The adjutant general shall administer this act in conjunction with the administration of the Kansas emergency management act.

History: L. 1993, ch. 113, § 5; L. 1994, ch. 248, § 26; July 1.

Appendix
Cities & Municipalities
Miscellaneous Provisions

Chapter 12. —CITIES AND MUNICIPALITIES

Article 16. —MISCELLANEOUS PROVISIONS

12-16, 117. Municipal polices regarding the provision of assistance during times of disaster: immunity from liability. (a) When used in this act:

1. “Municipality” means any city, county or township;
2. “Public safety agency” means any municipal fire department, law enforcement office, sheriff’s department, volunteer and nonvolunteer fire protection associations, emergency management department, public works department or other similar our private agency; and
3. “Disaster” means the occurrence or imminent threat of widespread or sever damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to, fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion or riot.

(b) The governing body of municipalities may establish a policy regarding the provision of assistance to other municipalities and public safety agencies located in other municipalities located within or without the state of Kansas. Such policy shall be established by adoption of the appropriate ordinance or resolution. Such ordinance or resolution shall include the procedure for the provision of assistance during times of disaster. Any ordinance or resolution adopted pursuant to this section shall be consistent with the applicable local or interjurisdictional disaster plan adopted pursuant to K.S.A. 48-901 et seq., and amendments thereto.

(c) When providing assistance pursuant to an ordinance or resolution adopted pursuant to this section, the municipality and public safety agency shall be subject to the provisions of all laws, including those providing immunity from liability, as if such municipality or public safety agency was acting within such municipality. Any public safety agency of another state providing assistance in this state pursuant to an ordinance or resolution adopted pursuant to this section shall be subject to the provisions of all laws of this state, including those providing immunity from liability, as if such public agency was a public agency within the state of Kansas.

(d) A copy of any ordinance or resolution adopted pursuant to this section shall be filed with the emergency preparedness officer of the county. C copy of such ordinance or resolution also shall be filed with the division of emergency preparedness as part of the local or interjurisdictional disaster plan required pursuant to K.S.A. 48—929, and amendments thereto.

(e) An ordinance or resolution adopted under the provisions of this section shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2901 et seq., and amendments thereto.

- (f) Nothing in this act shall be construed as invalidating existing mutual aid or disaster relief agreements entered into pursuant to K.S.A. 12-2901 et seq., and amendments thereto.

History: L. 1994, ch 75, 1; July 1.

Appendix CHAPTER 15

LICENSING

In the United States, there are three levels, or “license classes”. These are Technician, General and Extra. The Federal Communications Commissions (FCC) grants these licenses. The most popular license is the Technician Class License, which offers all of the ham radio privileges above 30 megahertz (MHz). These privileges include the popular 2-meter band. Many Technicians use small 2-meter hand-held radios to stay in touch with other hams in their local area. Technicians may operate “FM” voice, digital packet (computer), television, single-sideband voice and other modes. They can make international radio contacts via satellites and 10-meter sideband also. A Technicians license requires passing a FCC written exam, which is a multiple-choice test for Technicians. Topics of study include radio-operating practices, FCC written exam, which is a multiple-choice test for Technicians. Topics of study include radio operating practices, FCC rules and basic electrical theory. The other two license classes, General and Extra, requires more advance testing and a Morse Code examination of five words per minute. These licenses allow the amateur operator more band privileges including voice on the frequencies below 30 MHz. Visit their website at www.arrl.org or phone 1-860-594-0200.

ACRONYMS

ARC	American Red Cross
Emergency Operating Center (EOC)	The protected site from which civil government officials (municipal, county, state, and federal) exercise direction and control in an emergency.
AEC	Agency Emergency Coordinators
AFRCC	Air Force Rescue Coordination Center
AFRES	Air Force Reserve
AIA	American Institute of Architects
AM	Amplitude Modulation
Annex	Portion of Emergency operation plan which describes in some detail the assignment of responsibility to one or more agencies for carrying out detailed emergency functions.
APE	Area of Potential Effect
ARES	Amateur Radio Emergency Services
ARES	Air Force Reserve
ARPSC	Amateur Radio Public Service Corps
ARRL	American Radio Relay League
ASCS	Agriculture Stabilization Conservation Services
ASTRA	Automated Statewide Telecommunications Records Access
ATF	Bureau of Alcohol, Tobacco, and Firearms
AVMA	American Veterinary Medical Association
BIA	Bureau of Indian Affairs
CAMEO	Computer Aided Management of Emergency Operations
CCP	Casualty Collection Point
CDC	Centers of Disease Control
CDV	Civil Defense
CDV	Civil Defense
CEB	County Emergency Board
CEM	Certified Emergency Manager
CEP(s)	Circular Error Probability(s)
CFA	Coordinating Federal
CFR	Code of Federal Regulations
CHEMTREC	Chemical Transportation Energy Center
CINC	Commander-In-Chief
CMT	Crisis Management Team
Command Center	A temporary location with communication equipment from which initial recovery efforts are manned and media- business communications is maintained.
Contamination	The deposit of radioactive or other hazardous material on the surfaces of structures, areas, objects, or personnel, following a nuclear explosion or hazardous materials incident/accident.
Contingency Plan (Disaster Recovery Plan)	A set of procedures before a disaster strikes allowing organizational stability, minimal disruptions and providing for an orderly recovery.
CPER	Commission on Emergency Response
CPG	Civil Preparedness Guide
CRP	Crisis Relocation Plan

CSP	Community Shelter Plan
CWA	Clean Water Act
DAC(s)	Disaster Assistance Centers(s)
DAD	Disaster Assistance Division
DAE	Disaster Assistance Employee
Damage Assessment	Estimation of damages made after a disaster has occurred which serves as the basis of the Governor's request to the President for a declaration of Emergency or Major Disaster.
Decontamination	The reduction or removal of containing radioactive or other hazardous material from a structure, area, object, or person. Decontamination may be accomplished by (a) treating the surface so as to remove or decrease the contamination; (b) letting the material stand so that the radioactivity is decreased as a result of natural decay; (c) and covering the contamination.
DEM	Division of Emergency Management
DF	Data for Fallout
DFO	Disaster Field Office
DHHS	U.S. Department of Health and Human Services
Disaster	An unplanned event that brings damage or loss.
Disaster Analysis	The collection, reporting and analysis of disaster related damages to determine the impact of the damage and to facilitate emergency management of resources and services to the stricken area.
Disaster Recovery Period	Time period between a disaster and a return to normal functions, during which the disaster recovery plan is employed.
DOE	Department of Energy
DOEd	Department of Education
DOJ	Department of Justice
DR&R	Disaster Response and Recovery
DSR	Damage Survey Report
DUA	Disaster Unemployment Assistance
EAS	Emergency Alert System
EBS	Emergency Broadcasting System
EC	Emergency Coordinator
ECS	Emergency Communications Staff
EMAC	Emergency Management Assistance Contact
EMAN	Emergency Management Automated Network
Emergency Operations Plan (EOP)	Emergency Operation Plan. A document, which describes the way in which a government intends to respond to a major emergency/disaster.
Emergency Preparedness	Are all the activities and measures that are taken into consideration in preparing for a disaster. Preparedness also includes the restoration of utilities and facilities that were destroyed or damaged by the hazard as well as actions in preparation for hazard organizational equipment materials, and facilities.
EMP	Electromagnetic Pulse
EMPG	Emergency management Performance Grant
EMS	Emergency Medical Services
EMT	Emergency Medical Technician

EO	Executive Order
EPA	Environmental Protection Agency
ERC	Emergency Response Coordinator
ERT	Emergency Response Team
ESF	Emergency Support Function
EST	Emergency Support Team
Exercise	Maneuver or simulated emergency condition involving planning, preparation, and executing; carried out for the purpose of testing, evaluating, planning, developing, and/or demonstrating emergency management systems and individual components and capabilities, to identify areas of strengths and weakness for improvement of emergency plan (EOP).
Exposure Control	Procedures taken to keep radiation exposures of individuals or groups from exceeding a recommended level, such as keeping outside missions as short as possible.
FAA	Federal Aviation Administration
FBI	Federal Bureau of Investigation
FBO	Fixed Base Operation
FCC	Federal Communications Commission
Federal Response Plan	A plan which calls for an ability to respond with federal assets and follow through until recovery is complete
FEMA	Federal Emergency Management Agency
FERC	FEMA Emergency Response Capability
FM	Frequency Modulation
FmHA	Farm Home Administration
FNS	Food and Nutrition Services
FOC	FEMA Operations Center
FPP	Family Protection Program
FRC	Federal Regional Center
FRERP	Federal Radiological Emergency Response Plan
FRMAC	Federal Radiological Monitoring and Assessment Center
FRMAP	Federal Radiological Monitoring and Assessment Plan
FRP	Federal Response Plan
GAR	Governor's Authorized Representative
GCO	Grant Coordinating Officer
GE	General Emergency
GSA	U.S. General Services Administration
Hazard	A dangerous event or circumstance that may or may not lead to an emergency or disaster.
HAZMAT	Hazardous Material
HMEP	Hazardous Materials Emergency Preparedness Grant Program
HUD	Department of Housing and Urban Development
IC	Incident Commander
ICBO	International Conference of Building Officials
ICC	Interstate Commerce Commission
ICS	Incident Command Station
IEMS	Integrated Emergency Management System

IFG	Individual and Family Grant Program
Incident Command System (ICS)	The combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure with responsibility for management of assigned resources to effectively accomplish stated objectives at the scene of an incident.
Ingestion Pathway Planning Zone (IPZ)	The area within a 50-mile radius of a commercial nuclear power plant that includes all food production, processing and marketing facilities.
IRMS	Information Resources Management Services
JTPA	Job Training Partnership Act
KaDCAP	Kansas Department of the Civil Air Patrol
KCC	Kansas Corporation Commission
KDEM	Kansas Department of Emergency Management
KDHE	Kansas Department of Health and Environment
KDHR	Kansas Department of Human Resources
KDOA	Kansas Department of Administration
KDOC	Kansas Department of Corrections
KDOT	Kansas Department of Wildlife and Parks
KEMA	Kansas Emergency Management Association
KHP	Kansas Highway Patrol
KPS	Kansas Planning Standards
KSA	Kansas Statutes Annotated
KSBA	Kansas State Board of Agriculture
KSNG	Kansas National Guard
KVMA	Kansas Veterinary Medical Association
LEOP	Local Emergency Planning Committee
LEPC	Local Emergency Planning Committee
LFA	Lead Federal Agency
Management Team	A group of individuals responsible for writing, maintaining, and if necessary activating the disaster recovery plan.
MARS	Military Assistance to Safety and Traffic
Mitigation	Any action "determined to be cost -effective which substantially reduces the risk of future damage, hardship, loss, or suffering in any area affected by a major disaster (Stafford Act, P.L. 93-288, as amended, Sec.404).
NAPB	Nuclear Attack Planning Base
NASA	National Aeronautics and Space Administration
Natural disaster	Can be a tornado, storm, flood, high water, wind driven water, snowstorm, drought, fire, or any other disaster that may cause harm to a person or property.
NAWAS	National Warning System
NCP	National Contingency Plan
NCS	National Communications System
NEMA	National Emergency Management Association
NFA	National Fire Academy
NFS	National Facility Survey
NLET	National Law Enforcement Teletype System

NOAA	National Oceanic and Atmospheric Administration
NORAD	North American Air Defense Command
NOUA	Notification of Unusual Event
NP	National Preparedness
NRC	National Response Center (EPA-HAZMAT)
NRC	Nuclear Regulatory Commission
NRT	Nuclear Response Team
NSS	National Shelter Survey
NUDET	Nuclear Detonation
NWS	National Weather Service
OASH	Office of the Assistant Secretary for Health, Department of Health and Human Services
OEP	Office of Emergency Preparedness
OMB	Office of Management and Budget
Operations Plan	A description of actions to be taken in facing an anticipated disaster and method of coordinating to meet the needs of that situation.
Operations Planning	The process of determining the need for application of resources and determining the need for application of resources and determining the methods of obtaining and committing these resources to fill the operational needs.
OSC	On-Scene Coordinator
OSHA	Occupational Safety and Health Administration
OSHA	Occupational Safety & Health Administration
PAG(s)	Protective Action Guides
PDS	Professional Development Series
PF	Protection Factor
PIO	Public Information Officer
Planning Committee	A group of individuals appointed to oversee the development and implementation of a disaster recovery plan.
RACES	Radio Amateur Civil Emergency Services
REA	Rural Electrification Administration
Recovery	Activities traditionally associated with providing Federal supplemental disaster recovery assistance under the Presidential major disaster declaration. Those activities usually begin within days after the event and continue after response activities ceases. Recovery includes individual and public assistance programs, which provide temporary definitions.
REP	Radiological Emergency Preparedness
Response	The efforts to minimize the risks created in an emergency protecting the people, the environment, and property, and the efforts to return the scene to normal pre-emergency conditions.
RI/MC	Radiological Instrumentation/Maintenance & Calibration
RM	Radiological Monitor
RO	Radiological Officer
RPS	Radiological Protection System
RRT	Regional Response Teams
SAE	Site Area Emergency
SAR	Search and Rescue
SARA	Superfund Amendments and Reauthorization Act

SARDA	State and Regional Disaster Airlift Plan
SBA	Small Business Administration
SCM	Survivable Crisis Management
SCO	State Coordinating Officer
SDO	State Duty Officer
SEAT	State Exercise Advisory Team
SEB	State Emergency Board
SEOP	State Emergency Operations Plan
SERC	State Emergency Response Commission
Shelter	A facility which provides protection from one or more of the effects of a natural disaster, hazardous materials incident/accident, nuclear attack, or other type of disaster.
SLA	Sate and Local Assistance Program
SPCC	Spill Prevention Control and Counter Measures
Stafford Act	P.L. 93-288 as amended. Provides authority for response assistance under the Federal Response Plan, and which empowers the President to direct any federal agency to utilize its authorities and resources in support of state and local assistance efforts.
Standard Operating Procedures (SOPs)	A set of specific instructions having the force of a directive, covering those features of operations which lend themselves to a define or standardized procedure without loss of effectiveness. SOPs generally describe how a task id to be carried out. Standard Operating Procedure
STARC	State Area Command
STARR	State Terrorism Assessment Response and recovery
State of emergency	An emergency proclaimed as such by the Governor pursuant to state law.
STO	State Training Officer
TAG	The Adjutant General
Traffic Control Points	Places along evacuation routes that are staffed by police to direct and control movement to and from area being evacuated.
UHF	Ultra-High Frequently
USACE	Unites States Army Corps of Engineers
USDA	United States Department of Agriculture
USPS	United States Postal Service
VA	U.S. Department of Veterans Affairs
VHF	Very High Frequency
VOAD	Volunteer Organizations Active in Disasters
WERS	Weapons Effects Reporting Station

**If you should have any questions or
comments regarding the Kansas
Local Emergency Managers
Handbook, please feel free to call
L'Tanya at (785) 274-1402 or
e-mail**

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